

# Wildlife Code of Missouri

## Rules of the Conservation Commission

Issued March 1, 2004

Subject to revision  
during current year.



Department of Conservation

Administrative Office

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John D. Hoskins

The Conservation Commission  
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The following rules have been changed, added or deleted since the 2003 *Wildlife Code*:

### Rules 3 CSR

10-1.010	10-5.552	10-7.450	10-10.767
10-4.110	10-5.553	10-7.455	10-10.768
10-4.111	10-5.570	10-8.510	10-11.160
10-5.205	10-5.577	10-8.515	10-11.180
10-5.215	10-5.578	10-9.110	10-11.182
10-5.310	10-6.405	10-9.230	10-11.186
10-5.320	10-6.415	10-9.442	10-11.205
10-5.330	10-6.505	10-9.565	10-11.210
10-5.340	10-6.510	10-9.575	10-11.215
10-5.345	10-6.525	10-9.625	10-12.110
10-5.352	10-6.530	10-9.628	10-12.115
10-5.365	10-6.533	10-10.720	10-12.125
10-5.375	10-7.405	10-10.722	10-12.135
10-5.420	10-7.410	10-10.725	10-12.140
10-5.440	10-7.425	10-10.726	10-12.145
10-5.445	10-7.435	10-10.732	10-20.805
10-5.470	10-7.440	10-10.745	

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*\* These chapters are not reproduced in their entirety, but are available upon request. There are no chapters 13-19.*

## CONSERVATION SECTIONS CONSTITUTION OF MISSOURI

(Article IV - Executive Department)

### **Conservation commission, jurisdiction — number, qualifications, terms and reimbursement of members — vacancies.**

Section 40(a). The control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations and all other property owned, acquired or used for such purposes and the acquisition and establishment thereof, and the administration of all laws pertaining thereto, shall be vested in a conservation commission consisting of four members appointed by the governor, by and with the advice and consent of the senate, not more than two of whom shall be of the same political party. The members shall have knowledge of and interest in wildlife conservation. The members shall hold office for terms of six years beginning on the first day of July of consecutive odd years. Two of the terms shall be concurrent; one shall begin two years before and one two years after the concurrent terms. If the governor fails to fill a vacancy within thirty days, the remaining members shall fill the vacancy for the unexpired term. The members shall receive no salary or other compensation for their services as members, but shall receive their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties.

**Incumbent members.**

Section 40(b). The members of the present conservation commission shall serve out the terms for which they were appointed, with all their powers and duties.

**Acquisition of property — eminent domain.**

Section 41. The commission may acquire by purchase, gift, eminent domain, or otherwise, all property necessary, useful or convenient for its purposes, and shall exercise the right of eminent domain as provided by law for the highway commission.

**Director of conservation and personnel of commission.**

Section 42. The commission shall appoint a director of conservation who, with its approval, shall appoint the assistants and other employees deemed necessary by the commission. The commission shall fix the qualifications and salaries of the director and all appointees and employees, and none of its members shall be an appointee or employee.

**Sales tax, use for conservation purposes.**

Section 43(a). For the purpose of providing additional moneys to be expended and used by the conservation commission, department of conservation, for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and wildlife resources of the state, including the purchase or other acquisition of property for said purposes, and for the administration of the laws pertaining thereto, an addi-

tional sales tax of one-eighth of one percent is hereby levied and imposed upon all sellers for the privilege of selling tangible personal property or rendering taxable services at retail in this state upon the sales and services which now are or hereafter are listed and set forth in, and, except as to the amount of tax, subject to the provisions of and to be collected as provided in the “Sales Tax Law” and subject to the rules and regulations promulgated in connection therewith; and an additional use tax of one-eighth of one percent is levied and imposed for the privilege of storing, using or consuming within this state any article of tangible personal property as set forth and provided in the “Compensating Use Tax Law” and, except as to the amount of the tax, subject to the provisions of and to be collected as provided in the “Compensating Use Tax Law” and subject to the rules and regulations promulgated in connection therewith.

**Use of revenue and funds of conservation commission.**

Section 43(b). The moneys arising from the additional sales and use taxes provided for in section 43(a) hereof and all fees, moneys or funds arising from the operation and transactions of the conservation commission, department of conservation, and from the application and the administration of the laws and regulations pertaining to the bird, fish, game, forestry and wildlife resources of the state and from the sale of property used for said purposes, shall be expended and used by the conservation commission, department of conserva-

tion, for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and wildlife resources of the state, including the purchase or other acquisition of property for said purposes, and for the administration of the laws pertaining thereto, and for no other purpose. The moneys and funds of the conservation commission arising from the additional sales and use taxes provided for in 43(a) hereof shall also be used by the conservation commission, department of conservation, to make payments to counties for the unimproved value of land for distribution to the appropriate political subdivision as payment in lieu of real property taxes for privately owned land acquired by the commission after July 1, 1977 and for land classified as forest cropland in the forest cropland program administered by the department of conservation in such amounts as may be determined by the conservation commission, but in no event shall the amount determined be less than the property tax being paid at the time of purchase of acquired lands.

**Effective date — self-enforceability.**

Section 43(c). The effective date of this amendment shall be July 1, 1977. All laws inconsistent with this amendment shall no longer remain in full force and effect after July 1, 1977. All of the provisions of sections 43(a)-(c) shall be self-enforcing except that the general assembly shall adjust brackets for the collection of the sales and use taxes.

**Self-enforceability — enabling clause — repealing clause.**

Section 44. Sections 40-43, inclusive, of this article shall be self-enforcing, and laws not inconsistent therewith may be enacted in aid thereof. All existing laws inconsistent with this article shall no longer remain in force or effect.

**Rules and regulations — filing — review.**

Section 45. The rules and regulations of the commission not relating to its organization and internal management shall become effective not less than ten days after being filed with the secretary of state as provided in section 16 of this article, and such final rules and regulations affecting private rights as are judicial or quasi-judicial in nature shall be subject to the judicial review provided in section 22 of article V.

**Distribution of rules and regulations.**

Section 46. The commission shall supply to all persons on request, printed copies of its rules and regulations not relating to organization or internal management.

## CHAPTER 1 ORGANIZATION

*(This chapter is of limited interest and not reproduced in this Code, but is available upon request from the Conservation Department and is on the State of Missouri's website. See page 194.)*

## CHAPTER 2 FOREST CROP LANDS

*(This chapter is of limited interest and not reproduced in this Code, but is available upon request from the Conservation Department and is on the State of Missouri's website. See page 194.)*

## CHAPTER 3 MONETARY VALUES OF FISH

### **3 CSR 10-3.010 Monetary Values Established for Fish**

(1) Monetary values set out in the 1992 publication of the American Fisheries Society entitled Investigation and Valuation of Fish Kills (AFS Special Publication #24) are adopted by the Conservation Commission as the standards for evaluating losses resulting from fish kills.

## CHAPTER 4 WILDLIFE CODE: GENERAL PROVISIONS

### **3 CSR 10-4.105 Title; Authority**

The rules of the Conservation Commission and statutory laws not inconsistent therewith shall constitute the *Wildlife Code of Missouri*, designated as the "Code." The rules of the Conservation Commission are severable and if any rule or portion of this Code is held invalid, the remainder shall not be affected. The boldface caption for any rule does not affect the meaning of the rule. All authorized agents of the department and all duly constituted peace officers are authorized to enforce the provisions of this Code.

### **3 CSR 10-4.110 General Prohibition; Applications**

(1) No bird, fish, amphibian, reptile, mammal or other form of wildlife, including their homes, dens, nests and eggs in Missouri shall be molested, pursued, taken, hunted, trapped, tagged, marked, enticed, poisoned, killed, transported, stored, served, bought, sold, given away, accepted, possessed, propagated, imported, exported or liberated to the wild in any manner, number, part, parcel or quantity, at any time, except as specifically permitted by these rules and any laws consistent with Article IV, sections 40-46 of the *Constitution of Missouri*.

(2) All hours and times listed in this Code shall be based on prevailing local time unless specifically desig-

nated otherwise.

(3) Except as otherwise provided in this Code, wildlife may be taken only by holders of the prescribed permits and in accordance with prescribed methods.

(4) Birds, game mammals, furbearers, fish, bullfrogs and green frogs, mussels, crayfish, and common snapping and soft-shelled turtles may be taken only within the limits and during the open seasons prescribed in this Code; provided, in a situation of emergency where the public interest justifies extraordinary salvage measures to prevent or minimize waste, the director may authorize the taking and possession of wildlife by provisions other than those established in this Code, for a period not to exceed ninety (90) days.

*(See rules 3 CSR 10-4.130, 3 CSR 10-5.205 and 3 CSR 10-9.110)*

(5) No person, corporation, municipality, county, business or other public or private entity shall cause or allow any deleterious substance to be placed, run or drained into any of the waters of this state in quantities sufficient to injure, stupefy or kill fish or other wildlife which may inhabit such waters.

(6) No person shall administer, by any means, any contraceptive to any species of wildlife outside of captivity in Missouri without written authorization of the director.

(7) No person who takes or possesses any wildlife shall wantonly leave or abandon any portion of such wildlife commonly used as human food.

(8) With landowner permission, any species listed in

the Approved Aquatic Species List in 3 CSR 10-9.110 may be released into privately-owned impoundments which are designated as waters of the state by virtue of having been stocked by the state, or because they are owned jointly, or as tenants in common or by corporate shareholders. Statewide seasons, methods and limits for all species will apply to these waters.

### **3 CSR 10-4.111 Endangered Species**

(1) The importation, transportation, sale, purchase, taking or possession of any endangered species of wildlife, or hides or other parts thereof, or the sale or possession with intent to sell of any article made in whole or in part from the skin, hide or other parts of any endangered species of wildlife is prohibited; provided, that this rule shall not apply to legally acquired wildlife held under permit or held by a public zoo or museum or to articles manufactured before January 1, 1973. Endangered wildlife taken legally outside Missouri may be imported, transported or possessed, but may not be sold or purchased without written approval of the director.

*(See Rule 3 CSR 10-9.353.)*

(2) The exportation, transportation or sale of any endangered species of plant or parts thereof, or the sale of or possession with intent to sell any product made in whole or in part from any parts of any endangered species of plant is prohibited.

(3) For the purpose of this rule, endangered species of wildlife and plants shall include the following native



species designated as endangered in Missouri:

- (A) Mammals: gray bat, Ozark big-eared bat, Indiana bat, mountain lion, black-tailed jackrabbit, spotted skunk.
- (B) Birds: northern harrier, interior least tern, barn-owl, Swainson's warbler, snowy egret, king rail, Bachman's sparrow, bald eagle, peregrine falcon, American bittern, greater prairie-chicken.
- (C) Reptiles: western chicken turtle, Blanding's turtle, Illinois mud turtle, yellow mud turtle, western fox snake, Mississippi green water snake, massasauga.
- (D) Amphibians: eastern hellbender, Ozark hellbender.
- (E) Fishes: lake sturgeon, pallid sturgeon, taillight shiner, Neosho madtom, spring cavefish, harlequin darter, goldstripe darter, cypress minnow, central mudminnow, crystal darter, swamp darter, Ozark cavefish, Niangua darter, Sabine shiner, mountain madtom, redbfin darter, longnose darter, flathead chub, Topeka shiner.
- (F) Mussels: Curtis pearlymussel, Higgins' eye, pink mucket, fat pocketbook, ebonyshell, elephant ear, winged mapleleaf, sheepsnose, snuffbox, scaleshell.
- (G) Other Invertebrates: American burying beetle, Hine's emerald dragonfly, Tumbling Creek cave-snail.
- (H) Plants: small whorled pogonia, Mead's milkweed, decurrent false aster, Missouri bladderpod, geocarpon, running buffalo clover, pondberry, east-

ern prairie fringed orchid, western prairie fringed orchid, Virginia sneezeweed.

(4) To provide essential protection to endangered species, the director may establish refuges not to exceed one (1) square mile for not more than sixty (60) days.

### 3 CSR 10-4.113 Ginseng

(1) Wild ginseng (*Panax quinquefolium*) may be harvested from September 1 through December 31. Wild ginseng plants or roots harvested must possess three (3) or more true leaves (prongs) or flowering/fruiting stalks. The entire stalk, minus the mature fruits, shall be kept with the plants until they are taken to the harvester's home or place of business. When harvesting wild ginseng, harvesters shall plant all seeds from harvested plants within one hundred feet (100') of the parent plants. Plants or roots of wild ginseng taken in Missouri, or acquired from outside the state, may be purchased, sold, transported or exported only from September 1 through March 15; provided, certified roots may be possessed, purchased, sold, transported or exported throughout the year in accordance with this rule.

*(No person may harvest wild ginseng or seeds of wild ginseng from any lands owned or administered by the Conservation Commission, State of Missouri.)*

(2) Wild and cultivated Missouri ginseng plants or roots exported from the state must be accompanied by a numbered certificate of origin on forms provided by the department. Roots may be imported from other states,

territories or countries only with appropriate certification of origin. Uncertified roots that have been received from outside the state must be returned to that state for certification within thirty (30) days of receipt.

Uncertified Missouri wild roots may be possessed only from September 1 through March 15.

(3) Any person, group or business that purchases ginseng in Missouri for resale must register annually with the department as a ginseng dealer, and submit quarterly reports of all transactions within fifteen (15) days of the preceding buying period and an annual report of inventory, on forms provided by the department which are included herein. Annual registration shall be contingent upon compliance with this rule and receipt of the required reports. All records required by this rule shall be retained for three (3) years.

*(The quarterly and annual report forms are not reproduced in this Code, but they are available upon request from the Conservation Department and are on the State of Missouri's website. See page 194.)*

(4) Any person, group or business that purchases ginseng in Missouri for resale, but is registered as a ginseng dealer in another state and does not purchase or sell ginseng from an address in the state, is not required to register with the department as a ginseng dealer.

### **3 CSR 10-4.118 Public Use of Certain Department Buildings**

(1) Except as otherwise provided in this Code, by special area regulations or as stipulated by the director,

business hours of department buildings may be established by the site administrator. Public use of department buildings for purposes other than the primary building function is prohibited, except that use by other government entities or not-for-profit organizations involved in fish, forestry and/or wildlife resources conservation may be authorized, at times and under conditions that do not interfere with the department building function.

*(The procedures for securing public use of Department buildings is not reproduced in this Code, but they are available upon request from the Conservation Department and are on the State of Missouri's website. See page 194.)*

### **3 CSR 10-4.120 Boundary Waters**

The privileges of fishing or hunting on boundary waters common to Missouri and an adjoining state shall be as mutually agreed upon by the Missouri Conservation Commission and the equivalent authorities of the adjoining state.

*(See rules 3 CSR 10-6.405 and 3 CSR 10-10.726.)*

### **3 CSR 10-4.125 Inspection**

Every person, business concern or organization possessing, taking, transporting or using the wildlife or forestry resources of this state in any manner shall permit any agent of the department or any peace officer to inspect his/her permit(s), or temporary permit authorization number(s), and picture identification; to inspect and count any wildlife in his/her possession; and to inspect

any devices or facilities used in taking, attempting to take, possessing or transporting wildlife, subject to the provisions of section 252.100 RSMo in order that such officer may ascertain whether this Code or the statutes pertaining to wildlife or forestry are being violated. No person, business concern or organization shall refuse to permit such inspection, or interfere with any officer in such inspection.

### **3 CSR 10-4.130 Owner May Protect Property**

(1) Subject to federal regulations governing the protection of property from migratory birds, any wildlife except deer, turkey, black bears and any endangered species which beyond reasonable doubt is damaging property may be captured or killed by the owner of the property being damaged, or by his/her representative, at any time and without permit, but only by shooting or trapping except by written authorization of the director or, for avian control, of his/her designee. Wildlife may be so controlled only on the owner's property to prevent further damage.

(2) Except as otherwise authorized by an agent of the department—

(A) Use of traps shall be in compliance with 3 CSR 10-8.510.

(B) Wildlife so captured or killed must be reported to an agent of the department within twenty-four (24) hours.

(3) Wildlife captured or killed shall be disposed of only in accordance with the instructions of an agent of the

department.

(4) Deer, turkey, black bears and endangered species that are causing damage may be killed only with the permission of an agent of the department and by methods authorized by him/her. Mountain lions attacking or killing livestock or domestic animals, or attacking human beings, may be killed without prior permission, but the kill must be reported immediately to an agent of the department and the mountain lion carcass must be surrendered to him/her within twenty-four (24) hours.

### **3 CSR 10-4.135 Transportation**

(1) Wildlife legally taken by sport hunting and fishing may be possessed and transported into, within or out of this state as personal baggage of the taker, who has in his/her possession the required permit, or by other lawful possessor. Persons possessing wildlife taken by another shall plainly label that wildlife with the full name, address and permit number of the taker and the date taken, except that Missouri limits shall apply on Missouri waters unless otherwise provided by reciprocal agreement. Wildlife legally taken and exported from another state or country may also be shipped into Missouri by common carrier.

(2) In addition to personal transportation, legally possessed commercial fish, frogs, deer hides, squirrel and rabbit pelts, and furbearers pelts and carcasses may be shipped by mail, express and freight, when truly labeled with the names and addresses of shipper and

addressee, shipper's permit number, as required, and the contents of each package. Wildlife breeders, taxidermists, fur dealers, tanners and fur buyers may ship according to regulations specifically provided for such permittees. Wildlife shall not be accepted for shipment unless the shipper shall have complied with the provisions of this rule.

(3) Notwithstanding other provisions of this rule, the transportation of waterfowl and other migratory birds shall be in accordance with applicable federal regulations.

*(Also see Rule 3 CSR 10-4.150.)*

### **3 CSR 10-4.136 Giving Away Wildlife**

Wildlife legally taken and possessed may be given to another only by the taker after completion of the day's fishing or hunt. Any wildlife given to another shall continue to be included in the daily limit of the taker for the day when taken. This wildlife shall be labeled with the full name, address and permit number of the taker, species and the date when taken. Wildlife received as a gift shall be included in the possession limit of the recipient.

### **3 CSR 10-4.137 Wildlife Identification**

The taker and/or possessor of any wildlife shall keep the wildlife separate or distinctly identifiable from wildlife taken or possessed by another. When not personally attended, the wildlife shall be plainly labeled with the full name and address of the taker and/or possessor, except as provided in 3 CSR 10-6.405.

### **3 CSR 10-4.138 Possession and Daily Limit**

Except as provided in 3 CSR 10-6.405, any wildlife taken into actual possession, unless released unharmed immediately, shall continue to be included in the daily limit of the taker for the day when taken.

### **3 CSR 10-4.140 Possession, Storage and Processing**

(1) Wildlife legally taken or acquired may be possessed and stored, preserved or under refrigeration only at the possessor's home, camp, place of lodging or in a commercial establishment. Turkeys may be possessed or stored not later than February 15 next following the close of the season when taken.

*(Also see furbearer possession dates in rules 3 CSR 10-7.450 and 3 CSR 10-8.515)*

(2) All stored wildlife shall be labeled with the owner's full name, address and permit number, as required, species and date of placing in storage. If taken in another state or country, it also shall bear the export certificate, if required.

(3) The manager of any commercial processing or cold storage plant shall possess, process or store deer only under the provisions of 3 CSR 10-10.744. Deer left for processing at any commercial processing plant shall be claimed by the owner by May 1 following the season when taken. All commercially-processed deer not claimed and picked up or stored by May 1 following the season when taken shall be considered abandoned and must be reported immediately to an agent of the department for disposal.

### **3 CSR 10-4.141 Right to Possess Wildlife**

Any person in possession of wildlife that was taken in violation of any rule or regulation of this Code, or while in violation of the trespass statutes of the state of Missouri, shall have no right to possession of said wildlife.

### **3 CSR 10-4.145 Preparing and Serving Wildlife**

(1) Any person possessing wildlife legally may serve it in his/her home or camp, or deliver it in person to any place customarily engaged in serving food and, within seven (7) days of delivery, may have it prepared and served to him/her. The wildlife shall be labeled with the full name, address and, where required, permit number of the person delivering it and this information, together with the species and number of wildlife and the date of delivery, shall be recorded by the recipient.

(2) Carp, sucker, buffalo and drum may be delivered to a commercial processor and exchanged for processed fish.

### **3 CSR 10-4.150 Legality of Wildlife Taken Outside of Missouri**

The laws in effect where wildlife is taken shall determine the legal take and possession limits, except that Missouri limits shall apply on Missouri waters unless otherwise provided by reciprocal agreement. Fish taken in another state on a sport fishing permit by methods not permitted in Missouri may not be possessed on waters of the state. This Code shall apply immediately when wildlife is transported into Missouri, except for

interstate shipment neither originating in nor destined for Missouri.

**CHAPTER 5  
WILDLIFE CODE:  
PERMITS FOR HUNTING,  
FISHING, TRAPPING**

**3 CSR 10-5.205 Permits Required; Exceptions**

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses or uses wildlife in any manner must first obtain the prescribed hunting, fishing, trapping or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(A) A resident landowner or lessee, as defined in this Code, may hunt, trap or fish as prescribed in Chapters 6, 7 and 8 without permit (except landowner deer hunting permit and migratory bird hunting permit as prescribed), but only on land s/he owns or, in the case of the lessee, upon which s/he resides, and may transport and possess wildlife so taken.

(B) Any resident of Missouri sixty-five (65) years of age or older may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); provided, while fishing s/he carries a valid Missouri motor vehicle operator's license, notarized affidavit or similar official document proving his/her eligibility based on residency and age, and shall submit documentation for inspection by any agent of the department on request.

(C) Any resident of Missouri sixty-five (65) years of age or older may take wildlife as provided in Chapter 7 without permit (except all special hunting permits and the Migratory Bird Hunting Permit as prescribed); provided, while hunting s/he carries a valid Missouri motor vehicle operator's license, notarized affidavit, or similar official document proving his/her eligibility based on residency and age, and shall submit documentation for inspection by any agent of the department on request.

(D) Any person fifteen (15) years of age or younger may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); except that fish may be taken only by gig, longbow, crossbow, snagging, snaring, grabbing and by pole and line.

(E) Any person fifteen (15) years of age or younger may take wildlife (except deer and turkey) as provided in Chapter 7 without permit; provided, s/he is in the immediate presence of a properly licensed adult hunter or has in his/her possession a valid hunter education certificate card. Persons under eleven (11) years of age may not purchase firearms deer and turkey hunting permits except as provided in subsection (1)(F) of this rule (see 3 CSR 10-5.215(4)).

(F) Any person at least six (6) but not older than fifteen (15) years of age may purchase a Youth Deer and Turkey Hunting Permit without display of a

hunter education certificate card, and may take one (1) deer of either sex statewide, during the firearms deer hunting seasons except that only an antlerless deer may be taken in seasons open only to antlerless deer; one (1) male turkey or turkey with visible beard during the spring turkey hunting season; and one (1) turkey of either sex during the fall firearms turkey hunting season; provided, s/he is hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card, or who are hunting in the immediate presence of a resident landowner as defined in this Code on lands owned by the resident landowner, provided the resident landowner was born before January 1, 1967. Youth Deer and Turkey Hunting Permit holders attaining the age of eleven (11) during the prescribed permit year, and who have a valid hunter education certificate card, may surrender unused portion(s) of the Youth Deer and Turkey Hunting Permit and purchase other firearms deer and turkey hunting permits. Deer and turkeys taken under the Youth Deer and Turkey Hunting Permit must be included in the total season limits.

(G) Any hospital patient may fish without permit on the grounds of the hospital where under treatment.

(H) The director may issue special fishing permits for specified dates without cost to supervised groups involved in rehabilitation programs or groups of hospital patients or persons with disabilities under therapy.

(I) The director may issue special fishing permits authorizing persons assigned as trainees to a training or rehabilitation unit performing organized conservation or agricultural work under governmental supervision on federal, state, county or municipal lands to take fish by gig and pole and line methods and to take frogs by fishing methods on the public lands where such conservation or agricultural work is being performed, under regulations applicable to the area. Any person while exercising such privileges shall carry identification, issued by the training agency, showing current assignment to the training or rehabilitation unit.

(J) For educational purposes, the director may waive fishing permit or tag requirements for specified periods at specified sites and may authorize fishing in restricted waters.

(K) Any resident of Missouri having a visual acuity not exceeding 20/200 in the better eye with maximum correction, or having twenty degrees (20°) or less field of visual concentric contraction, and any resident who is so severely and permanently disabled as to be unable to move freely without the aid of a wheelchair, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); provided, while fishing s/he carries a certified statement of eligibility from a licensed ophthalmologist or optometrist or from a licensed physician.

(L) Any resident of Missouri with cerebral palsy or mental retardation as defined in section 630.005, RSMo, and who is so severely disabled that s/he cannot fish alone, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); provided, while fishing s/he is accompanied by a licensed adult fisherman and possesses a certified statement of eligibility from a licensed physician qualified to evaluate and treat the developmentally disabled.

(M) Any honorably discharged resident veteran having a service-related disability of sixty percent (60%) or greater, or who was a prisoner of war during military service, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed), and may take wildlife as provided in Chapter 7 without permit (except deer and turkey hunting permits and the Migratory Bird Hunting Permit as prescribed); provided, while hunting or fishing s/he carries a certified statement of eligibility from the Veterans Administration.

(N) Any Missouri resident who is the owner of land that wholly encloses a body of water, or any member of his/her immediate household, may fish without permit in those waters. In the case of corporate ownership, this privilege shall apply to those corporate owners whose domicile is on such corporate-owned land.

(O) Any person may fish without permit, trout permit and prescribed area daily tag during free fishing days. Free fishing days are the Saturday and Sunday following the first Monday in June.

(P) A customer or guest of a licensed trout fishing area may fish for trout without permit (see 3 CSR 10-9.645).

### **3 CSR 10-5.210 Permit to be Signed and Carried**

All permits and method exemptions shall be signed and carried by the permittee. Permits, or temporary permit authorization number(s), and method exemptions shall be exhibited to any officer charged with the enforcement of this Code, or to any transportation company or postal employee when presenting wildlife for shipment.

### **3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable**

(1) Permits may be obtained only upon satisfaction of all requirements imposed by this Code, including payment of fees, at the time of application. The Missouri Conservation Heritage Card, Social Security number, Driver License number, or a Missouri Conservation identification number shall be required to purchase all permits except daily tags.

(2) A permit for the taking of wildlife may be issued only to an individual and may be used only by the individual to whom it is issued. No permit, application for permit, method exemption, Missouri Conservation Heritage Card or special hunting or fishing tag may be loaned, predated, falsified, altered or misrepresented in



any manner, except that a Missouri Conservation Heritage Card may be presented by another to purchase permits on behalf of the person named thereon. No firearms hunting permit shall be issued without containing the hunter education certificate card number where applicable; except that a Youth Deer and Turkey Hunting Permit may be issued to persons at least six (6) but not older than fifteen (15) years of age without requiring display of a hunter education certificate card.

(3) The acceptance of a permit or privilege or method exemption shall constitute an acknowledgment of the duty to comply with the provisions of the Wildlife Code and to pursue wildlife in a safe manner, and all permits and privileges are conditioned upon such compliance.

(4) Any person born on or after January 1, 1967, shall obtain and display an approved hunter education certificate card prior to purchase of any firearms hunting permit, except as exempted in 3 CSR 10-5.205. Any person purchasing a firearms hunting permit for another person who is required to be hunter education certified must display a valid hunter education certificate card bearing the name of the person for whom the permit is being purchased. A hunter education card need not be displayed if certification can be verified through direct access to computer data files. Hunter education certification shall be verified by permit vendors on all firearms hunting permits, except as exempted in 3 CSR 10-5.205. Hunter education certification shall be limited to persons eleven (11) years of age or older. The Missouri Conservation Heritage Card will be issued as a replace-

ment for lost or damaged hunter education certificate cards (fee: two dollars (\$2)).

(5) Permits are nontransferable and are valid from date of purchase through the last day of February of the prescribed permit year; except the Migratory Bird Hunting Permit shall be valid through June 30, and the Resident Trapping Permit and Nonresident Furbearer Hunting and Trapping Permit shall be valid through April 10. Except as provided for permits purchased by telephone or through the Internet, no affidavit, receipt or other document may be issued or used in lieu of the required permit. Temporary permit authorization number(s) allowing immediate use of permit privileges may be provided for permits (except deer and turkey permits) purchased through the department's authorized telephone or Internet sales service provider. The temporary permit authorization number(s) and picture identification must be carried at all times while hunting, fishing or trapping until the actual permit(s) is received. Any permit issued or obtained by false statement or through fraud, or while privileges are revoked or denied by the commission, shall be invalid.

### **3 CSR 10-5.216 Permits and Privileges: Revocation**

(1) The commission may suspend, revoke or deny a permit or privilege for cause, but not until an opportunity has been afforded for a hearing before the commission or its authorized representative. The hearings under this section shall be noncontested cases unless the permittee is entitled by law to a contested case hearing.

(2) The commission may suspend, revoke or deny a permit or privilege to any hunter who mistakes another person for game and injures that person by firearm or other weapon. Suspension, revocation or denial shall not occur until an opportunity has been afforded for an appeals hearing before the commission pursuant to section 252.043, RSMo and the procedures for contested cases under this section.

*(The procedures for contested cases are not reproduced in this Code, but are available upon request from the Conservation Department and are on the State of Missouri's website. See page 194.)*

(3) The commission shall suspend hunting and/or fishing permits of individuals identified as not in compliance with applicable child support laws under a cooperative agreement between the Division of Child Support Enforcement of the Department of Social Services, the Department of Conservation and the Conservation Commission pursuant to section 454.1027, RSMo. Suspension of hunting and/or fishing permits shall occur under the procedures set out in this section.

*(The procedures for hunting and/or fishing permit suspensions are not reproduced in this Code, but are available upon request from the Conservation Department and are on the State of Missouri's website. See page 194.)*

(4) Suspension, revocation or denial of a permit or privilege for cause under sections (1) and (2) of this rule shall include the concurrent revocation of any method exemption.

### **3 CSR 10-5.220 Resident and Nonresident Permits**

(1) A resident permit shall be limited to persons who do not claim resident privileges in another state or country and whose actual residence and legal domicile have both been in the state of Missouri for at least thirty (30) days last past before the purchase of such permit as provided in this rule.

(2) Residents of Missouri employed by the United States in the District of Columbia or serving in the armed forces of the United States, and all members of the United States armed forces and their immediate families stationed and residing in Missouri, may receive resident permit privileges.

(3) Immigrants who possess an I-551 Resident Alien Card from the U.S. Immigration and Naturalization Service may receive resident permit privileges, provided they meet the residency requirements set out in section (1) of this rule.

(4) All persons who do not meet these qualifications shall possess a nonresident permit. Attendance at a Missouri school in itself does not constitute residency in the state.

### **3 CSR 10-5.225 Permits: Permit Issuing Agents; Service Fee; Other Provisions**

(1) Permit issuing agents shall be appointed by the department in numbers and at locations determined by the department. All permit issuing agents shall enter into an agreement prepared by the department, and

shall be responsible and accountable directly to the department for all permits, records and equipment assigned to them and all monies collected from the sale of permits.

(2) All monies collected by permit issuing agents and derived from the sale of hunting, fishing and trapping permits, less and except a service fee to be determined by the Conservation Commission, shall be held in trust for the Conservation Commission; and shall be made available for electronic fund transfer (EFT) to the State Treasurer's collection account as outlined in the permit issuing agent agreement.

(3) A customer convenience fee of two dollars (\$2) shall be charged for telephone or electronic media sales. Customers must agree to pay this fee before the permit will be issued.

(4) All permits and monies derived from the sale of permits and all associated records remain the property of the department. All equipment, permits and records shall be made available for inspection and audit upon reasonable demand by the agents and employees of the department.

(5) The charging or collecting by any permit issuing agent or other person of any fees different from those stated in this Code is unauthorized and prohibited.

(6) Firearms hunting permits may not be sold to any persons born on or after January 1, 1967, unless an approved hunter education certificate card is displayed, or hunter education certification can be verified through

direct access to computer data files; except that Youth Deer and Turkey Hunting Permits may be sold to persons at least six (6) and under sixteen (16) years of age without requiring display of a hunter education certificate card.

(7) A replacement for a lost, destroyed or mutilated permit may be issued by any permit issuing agent after verifying original permit through direct access of computer files. For a permit fee of two dollars (\$2), the permit issuing agent shall certify the permit number and type of permit being replaced and issue the replacement permit.

### **3 CSR 10-5.250 Daily Hunting or Fishing Tags**

Required in addition to the prescribed permit to pursue, take, possess and transport any wildlife on special management areas where daily permits or tags are required by regulation.

*(The daily fee is \$3 for adults and \$2 for persons 15 years of age or younger for the area daily trout fishing tag required from March 1 through October 31 at Bennett Spring, Montauk and Roaring River state parks and at Maramec Spring Park.)*

### **3 CSR 10-5.310 Resident Lifetime Conservation Partner Permit**

(1) To chase, pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish, live bait, birds (including migratory birds; except wild turkey) and mammals (except deer), and to sell furbear-

ers taken by hunting. Fee:

- (A) For persons age 15 and under: five hundred fifty dollars (\$550)
- (B) For persons age 16 to 29: eight hundred dollars (\$800)
- (C) For persons age 30 to 39: seven hundred dollars (\$700)
- (D) For persons age 40 to 59: six hundred dollars (\$600)
- (E) For persons age 60 to 64: seventy dollars (\$70)

(2) Lifetime hunting permits may be issued to residents under eleven (11) years of age, but holders of such permits may hunt only as provided in 3 CSR 10-5.205 until s/he completes a hunter education course.

*(A federal duck stamp also is required by federal regulations for hunting waterfowl. Periodic validation of lifetime permits will be required.)*

### 3 CSR 10-5.315 Resident Lifetime Fishing Permit

To pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish and live bait. Fee:

- (A) For persons age 15 and under: two hundred seventy-five dollars (\$275)
- (B) For persons age 16 to 29: four hundred dollars (\$400)
- (C) For persons age 30 to 39: three hundred fifty dollars (\$350)

(D) For persons age 40 to 59: three hundred dollars (\$300)

(E) For persons age 60 to 64: thirty-five dollars (\$35)  
*(Periodic validation of lifetime permits will be required.)*

### 3 CSR 10-5.320 Resident Lifetime Small Game Hunting Permit

(1) To chase, pursue, take, possess and transport birds (including migratory birds; except wild turkey), mammals (except deer) and frogs, and to sell furbearers taken by hunting. Fee:

- (A) For persons age 15 and under: two hundred seventy-five dollars (\$275)
- (B) For persons age 16 to 29: four hundred dollars (\$400)
- (C) For persons age 30 to 39: three hundred fifty dollars (\$350)
- (D) For persons age 40 to 59: three hundred dollars (\$300)
- (E) For persons age 60 to 64: thirty-five dollars (\$35)

(2) Lifetime hunting permits may be issued to residents under eleven (11) years of age, but holders of such permits may hunt only as provided in 3 CSR 10-5.205 until s/he completes a hunter education course.

*(A federal duck stamp also is required by federal regulations for hunting waterfowl. Periodic validation of lifetime permits will be required.)*

### 3 CSR 10-5.330 Resident Hunting and Fishing Permit

To chase, pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish, live bait, birds (except wild turkey) and mammals (except deer), and to sell furbearers taken by hunting. Fee: nineteen dollars (\$19).

*(A federal duck stamp also is required by federal regulations for hunting waterfowl, and a Migratory Bird Hunting Permit is required by state regulations for hunting waterfowl, doves, snipe, woodcock and rails.)*

### 3 CSR 10-5.340 Resident Fishing Permit

To pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish and live bait. Fee: twelve dollars (\$12).

### 3 CSR 10-5.345 Resident Small Game Hunting Permit

To chase, pursue, take, possess and transport birds (except wild turkey), mammals (except deer) and frogs, and to sell furbearers taken by hunting. Fee: ten dollars (\$10).

*(A federal duck stamp also is required by federal regulations for hunting waterfowl, and a Migratory Bird Hunting Permit is required by state regulations for hunting waterfowl, doves, snipe, woodcock and rails.)*

### 3 CSR 10-5.351 Resident Firearms Any-Deer Hunting Permit

To pursue, take, possess and transport a deer of either sex statewide during the firearms deer hunting season. Fee: seventeen dollars (\$17).

### 3 CSR 10-5.352 Resident Firearms First Bonus Deer Hunting Permit

To pursue, take, possess and transport an antlerless deer in a specified deer management unit during the firearms deer hunting seasons. Fee: seven dollars (\$7).

### 3 CSR 10-5.353 Resident Firearms Second Bonus Deer Hunting Permit

To pursue, take, possess and transport an antlerless deer in a specified deer management unit during the firearms deer hunting season. Fee: seven dollars (\$7).

### 3 CSR 10-5.359 Resident Managed Deer Hunting Permit

To pursue, take, possess and transport deer during a prescribed managed deer hunt. Fee: seventeen dollars (\$17).

### 3 CSR 10-5.360 Resident Archer's Hunting Permit

To pursue, take, possess and transport deer and wild turkey during the fall deer and turkey archery season and small game during prescribed seasons, and to sell furbearers taken by hunting. Fee: nineteen dollars (\$19).

### 3 CSR 10-5.365 Resident Turkey Hunting Permits

To pursue, take, possess and transport wild turkey during the prescribed open season.

(A) Spring Season Permit. Fee: seventeen dollars (\$17).

(B) Fall Season Permit. Fee: thirteen dollars (\$13).

### 3 CSR 10-5.370 Resident Trapping Permit

To attempt to take or take by trap only and to possess and transport furbearers, rabbits and groundhogs and to sell all these except rabbits. Fee: ten dollars (\$10).

### 3 CSR 10-5.375 Resident Cable Restraint Permit

To attempt to take or take by cable restraint device only and to possess, transport and sell furbearers. This permit may be issued only to the holder of a Resident Trapping Permit who has successfully completed a cable restraint training course, validated by a certified instructor. Fee: twenty-five dollars (\$25).

### 3 CSR 10-5.420 Youth Deer and Turkey Hunting Permit

To pursue, take, possess and transport one (1) deer of either sex statewide, during the firearms deer hunting seasons except that only an antlerless deer may be taken in seasons open only to antlerless deer; one (1) male turkey or turkey with visible beard during the spring turkey hunting season; and one (1) turkey of either sex during the fall firearms turkey hunting season; only by persons at least six (6) but not older than fifteen (15) years of age who are hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card, or who are hunting in the immediate presence of a resident landowner as defined in this Code on lands owned by the resident landowner, provided the resident landowner was born before January 1, 1967. Fee: seventeen dollars (\$17).

### 3 CSR 10-5.425 Antlerless-Only Archery Deer Hunting Permit

Required in addition to the prescribed archer's hunting permit to pursue, take, possess and transport an antlerless deer in specified deer management units during the archery deer hunting season. Fee: five dollars (\$5).

### 3 CSR 10-5.430 Trout Permit

Required in addition to the prescribed fishing permit to possess and transport trout, except in areas where a daily trout fishing tag is required. Required in addition to the prescribed fishing permit for trout fishing at Maramec Spring Trout Park, Bennett Spring State Park, Montauk State Park and Roaring River State Park from 8:00 a.m. to 4:00 p.m. on Fridays, Saturdays and Sundays from the second Friday in November through the second Sunday in February. Fee: seven dollars (\$7).

*(In the four trout parks, during the winter catch-and-release season specified above, all fish must be released to the water unharmed immediately after being caught, and no fish may be possessed.)*

### 3 CSR 10-5.435 Migratory Bird Hunting Permit

Required of any person sixteen (16) years of age or older in addition to the prescribed hunting permit to pursue, take, possess and transport waterfowl, doves, snipe, woodcock, and rails. Fee: six dollars (\$6).

*(A federal duck stamp also is required by federal regulations for hunting waterfowl.)*

### 3 CSR 10-5.440 Daily Fishing Permit

To pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish and live bait. Fee: five dollars and fifty cents (\$5.50) per day. A permit may be purchased for multiple days.

*(A Trout Permit also is required by state regulation to possess and transport trout.)*

### 3 CSR 10-5.445 Daily Small Game Hunting Permit

To chase, pursue, take, possess and transport birds (except wild turkey), mammals (except deer and furbearers) and frogs, and to chase furbearers for training dogs during the closed season. Fee: eleven dollars (\$11) per day. A permit may be purchased for multiple days.

*(A federal duck stamp also is required by federal regulations for hunting waterfowl and a Migratory Bird Hunting Permit is required by state regulations for hunting waterfowl, doves, snipe, woodcock and rails.)*

### 3 CSR 10-5.460 Licensed Hunting Preserve Hunting Permit

To pursue, take, possess and transport pheasants, exotic partridges, quail, and ungulates (hoofed animals) from a licensed hunting preserve. Fee: ten dollars (\$10).

### 3 CSR 10-5.465 Three-Day Licensed Hunting Preserve Hunting Permit

To pursue, take, possess and transport pheasants, exotic partridges, quail and ungulates (hoofed animals) from a

licensed hunting preserve. Fee: five dollars (\$5) for three (3) consecutive days.

### 3 CSR 10-5.535 White River Border Lakes Permit

Required for an Arkansas resident who is licensed to sport fish in Arkansas, or who is legally exempted from the sport fishing license requirements of Arkansas, to pursue, take, possess (with the exception of trout) and transport fish, frogs, mussels, clams, turtles, crayfish and live bait from the Missouri portion of the impounded waters of Bull Shoals, Norfork and Table Rock lakes without a Nonresident Fishing Permit; or, required for a Missouri resident who is licensed to sport fish in Missouri, or who is legally exempted from the sport fishing license requirements of Missouri, to pursue, take, possess (with the exception of trout) and transport fish, frogs, mussels, clams, turtles, crayfish and live bait from the Arkansas portion of the impounded waters of Bull Shoals, Norfork and Table Rock lakes without an Arkansas Nonresident Fishing License. Fee: ten dollars (\$10.00).

### 3 CSR 10-5.540 Nonresident Fishing Permit

To pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish and live bait. Fee: thirty-five dollars (\$35).

### 3 CSR 10-5.545 Nonresident Small Game Hunting Permit

To chase, pursue, take, possess and transport birds (except wild turkey), mammals (except deer and furbearers) and frogs, and to chase furbearers for train-

ing dogs during the closed season. Fee: sixty-five dollars (\$65).

*(A federal duck stamp also is required by federal regulations for hunting waterfowl, and a Migratory Bird Hunting Permit is required by state regulations for hunting waterfowl, doves, snipe, woodcock and rails.)*

### **3 CSR 10-5.551 Nonresident Firearms Any-Deer Hunting Permit**

To pursue, take, possess and transport a deer of either sex statewide during the firearms deer hunting season. Fee: one hundred forty-five dollars (\$145); except that for residents of states bordering Missouri where the total cost for a nonresident to hunt deer is in excess of one hundred twenty-five percent (125%) of Missouri's deer hunting permit cost, the fee for those states' residents hunting in Missouri shall be one hundred seventy dollars (\$170). These states include: Iowa, Illinois, Kansas and Oklahoma.

### **3 CSR 10-5.552 Nonresident Firearms First Bonus Deer Hunting Permit**

To pursue, take, possess and transport an antlerless deer in a specified deer management unit during the firearms deer hunting seasons. A Nonresident Firearms Deer Hunting Permit is required as a prerequisite to this permit. Fee: seven dollars (\$7).

### **3 CSR 10-5.553 Nonresident Firearms Second Bonus Deer Hunting Permit**

To pursue, take, possess and transport an antlerless

deer in a specified deer management unit during the firearms deer hunting seasons. A Nonresident Firearms Deer Hunting Permit is required as a prerequisite to this permit. Fee: seven dollars (\$7).

### **3 CSR 10-5.559 Nonresident Managed Deer Hunting Permit**

To pursue, take, possess and transport deer during a prescribed managed deer hunt. Fee: one hundred forty-five dollars (\$145); except that for residents of states bordering Missouri where the total cost for a nonresident to hunt deer is in excess of one hundred twenty-five percent (125%) of Missouri's deer hunting permit cost, the fee for those states' residents hunting in Missouri shall be one hundred seventy dollars (\$170). These states include: Iowa, Illinois, Kansas and Oklahoma.

### **3 CSR 10-5.560 Nonresident Archer's Hunting Permit**

To pursue, take, possess and transport deer and wild turkey during the fall deer and turkey archery season and small game (except furbearers) during prescribed seasons. Fee: one hundred twenty dollars (\$120).

### **3 CSR 10-5.565 Nonresident Turkey Hunting Permits**

(1) To pursue, take, possess and transport wild turkey during the prescribed open season.

(A) Spring Season Permit. Fee: one hundred forty-five dollars (\$145).

(B) Fall Season Permit. Fee: ninety-five dollars (\$95).



### 3 CSR 10-5.570 Nonresident Furbearer Hunting and Trapping Permit

To chase, pursue, take, possess, transport and sell furbearers. Fee: eighty dollars (\$80).

### 3 CSR 10-5.576 Nonresident Landowner Firearms Any-Deer Hunting Permit

To pursue, take, possess and transport a deer of either sex from qualifying land statewide during the firearms deer hunting season, by nonresident landowners as defined in this Code. Fee: seventy-five dollars (\$75).

*(Applications for purchasing nonresident landowner deer hunting permits may be obtained through the Jefferson City Office, Fiscal Services Section. See page 195)*

### 3 CSR 10-5.579 Nonresident Landowner Firearms Turkey Hunting Permits

(1) To pursue, take, possess and transport wild turkey from qualifying land during the prescribed open season, by nonresident landowners as defined in this Code.

(A) Spring Season Permit. Fee: seventy-five dollars (\$75).

(B) Fall Season Permit. Fee: fifty dollars (\$50).

*(Applications for purchasing nonresident landowner deer hunting permits may be obtained through the Jefferson City Office, Fiscal Services Section. See page 195.)*

### 3 CSR 10-5.580 Nonresident Landowner Archer's Hunting Permit

To pursue, take, possess and transport deer and wild turkey from qualifying land during the fall deer and turkey archery season and small game (except furbearers) during prescribed seasons, by nonresident landowners as defined in this Code. Fee: seventy-five dollars (\$75).

*(Applications for purchasing nonresident landowner deer hunting permits may be obtained through the Jefferson City Office, Fiscal Services Section. See page 195.)*

**CHAPTER 6**  
**WILDLIFE CODE:**  
**SPORT FISHING:**  
**SEASONS, METHODS, LIMITS**

**3 CSR 10-6.405 General Provisions**

(1) Fish, mussels and clams, bullfrogs and green frogs, turtles and live bait may be taken only as provided in this chapter or as further restricted in Chapter 11, Chapter 12 or as otherwise noted.

(2) Permits Required.

(A) Any person, to exercise the privileges of this chapter, must obtain and have on his/her person the prescribed permit, temporary permit authorization number(s) or evidence of exemption. The temporary permit authorization number(s) and picture identification must be carried at all times while fishing until the actual permit(s) is received.

(B) Any person possessing a valid sport fishing license issued by the state of Arkansas, or who is legally exempted from those license requirements, without further permit or license, may fish in the flowing portions of the St. Francis River within the boundary of Missouri.

(C) Any person possessing a valid sport fishing license issued by the state of Illinois, Tennessee, Kansas or Nebraska, or who is legally exempted from those license requirements, without further

permit or license, may fish in the Mississippi and Missouri rivers and their backwaters within the boundary of Missouri adjacent to the state where that person is licensed. These persons may also fish in the Missouri portion of any oxbow lakes through which the state boundary passes.

(D) Any person possessing a valid sport fishing license issued by the state of Kentucky, or who is legally exempted from those license requirements, without further permit or license, may fish in the Mississippi River within the boundary of Missouri adjacent to the state of Kentucky. For the purposes of these reciprocal fishing privileges, the river is defined as the main channel and immediate side or secondary channels or chutes. It does not include oxbow or floodplain lakes, or backwaters that extend onto the floodplain or up tributaries when the Mississippi River level exceeds 33 feet at the Cairo, Illinois gauging station.

*(See backwater definition in 3 CSR 10-20.805.)*

(3) Limits and Possession.

(A) Any species taken into actual possession, unless released unharmed immediately after being caught, shall continue to be included in the daily limit of the taker for the day when taken except as authorized in subsection (3)(E) of this rule.

(B) A person may possess only the daily limit of any species while on the waters or banks thereof to which the limit applies.

**FISHING**

(C) Regardless of where taken, no fish less than the specified minimum length limit shall be possessed on the waters or banks thereof to which length limits apply. The head, tail and skin must remain attached to all fish for which length limits are established while those fish are on the waters to which length limits apply or until the fish have been checked by an agent of the department.

(D) Fish held live for release by the sponsor after a bona fide fishing tournament need not be kept separate and identifiable following tournament judging if released unharmed to the waters from which taken on the day taken.

(E) During the months of September through June, black bass released unharmed by participants in a bona fide catch-and-release fishing tournament, which requires entrants to have a boat livewell with adequate capacity and a pump constantly adding fresh or recirculating water, shall not be included in the daily limit, however, at no time may the daily limit be exceeded.

(F) A person may possess no more than two (2) statewide daily limits of any species at any time.

(4) Reciprocal Privileges: Mississippi, Missouri and St. Francis Rivers.

(A) All reciprocal privileges outlined in this rule shall be contingent upon a grant of like privileges by the appropriate neighboring state to persons licensed or exempted by Missouri.

(B) Regulations of the state where the person is licensed shall apply in Arkansas boundary waters. Missouri regulations shall apply in the Missouri portion of Illinois, Kentucky, Tennessee, Nebraska and Kansas boundary waters. Persons licensed in Illinois, Kentucky, Tennessee, Kansas and Nebraska, when fishing in waters in which they are not licensed to fish by Missouri, shall comply with the most restrictive laws and regulations of the two (2) states.

(C) Persons must be licensed in Missouri to fish in tributaries of the Mississippi, Missouri and St. Francis rivers.

(D) Persons licensed in Arkansas may not fish from or attach any device or equipment to land under the jurisdiction of Missouri.

(E) Persons licensed in Illinois, Kentucky, Tennessee, Kansas or Nebraska may fish from or attach devices or equipment to land under the jurisdiction of Missouri.

(5) Impoundments and Streams.

(A) For purposes of these rules, the arms of major hydroelectric or flood control impoundments will extend to the lake contour that is commonly referred to as conservation pool, multipurpose pool or normal pool, or to specific locations identified by posting. Impoundment rules apply to all other bodies of water impounded by dams and to natural lakes not permanently connected to flowing streams. Stream fishing rules apply above in-stream

structures that do not elevate water levels above the stream's high bank and that do not regulate water flow.

### 3 CSR 10-6.410 Fishing Methods

(1) Fish may be taken by the use of pole and line, trotline, throwline, limb line, bank line, jug line, gig, longbow, crossbow, underwater spearfishing, snagging, snaring, grabbing and falconry, but only as specifically authorized in 3 CSR 10-6.415 through 3 CSR 10-6.620. No person may attempt to take fish by rock or hand fishing, with or without hook.

(2) Number of Poles and Hooks.

(A) Not more than three (3) unlabeled poles and not more than thirty-three (33) hooks in the aggregate, for any or all methods, may be used by any person at one time.

(B) On the Mississippi River, not more than two (2) unlabeled poles and not more than fifty (50) hooks in the aggregate may be used by any person at one time. While fishing concurrently on the Mississippi River and other Missouri waters, not more than fifty (50) hooks in the aggregate may be used and not more than thirty-three (33) of those hooks may be used in waters other than the Mississippi River.

(C) Trotlines and throwlines of more than one (1) individual may be joined together, but the number of hooks in the aggregate shall not exceed the prescribed number for one (1) individual on the waters that are being fished and the lines must be labeled

with each person's full name and address.

(3) Hooks attached to throwlines or trotlines shall be staged not less than two feet (2') apart.

(4) Minnow traps, hooks, trotlines, throwlines, limb lines, bank lines or anchored jug lines (rendered immobile from the location where set) may not be left unattended for more than twenty-four (24) hours or must be completely removed. Unanchored jug lines must be personally attended at all times.

(5) No person may use any explosive, poison, chemical, electrical device or equipment capable of transmitting underwater signals to kill, attempt to kill, or stupefy fish, and no material and equipment may be possessed for those purposes on waters of the state or adjacent banks.

(6) Fish not hooked in the mouth or jaw, except those legally taken by snagging, snaring, grabbing, gig, longbow, crossbow, underwater spearfishing or falconry must be returned to the water unharmed immediately.

(7) Fish legally taken by snagging, snaring, grabbing, gig, longbow, crossbow, underwater spearfishing or falconry shall be retained by the taker and included in the prescribed daily limit.

(8) Minnow traps, trotlines, throwlines, limb lines, bank lines, jug lines and live boxes shall be plainly labeled on a durable material with the full name and address of the person using the equipment.

(9) Spears propelled by explosive substances may not be used.

(10) Spearguns may not be possessed on unimpounded waters or adjacent banks.

(11) Except as provided in 3 CSR 10-6.605, fish traps, including slat traps and wire traps, may not be possessed on waters of the state or adjacent banks.

(12) As an aid to fishing methods, an artificial light may be used only above the water surface, except that underwater lights may be used to attract fish while fishing by pole and line.

(13) Endangered species and fish included in 3 CSR 10-6.505 through 3 CSR 10-6.545, their parts or eggs, may not be used for bait.

(14) The director may issue special authorization to properly licensed persons with disabilities to pursue and take fish, mussels and clams, bullfrogs and green frogs, turtles and live bait by methods not prescribed in this chapter and Chapters 11 and 12 if the disability prevents fishing by prescribed methods.

### **3 CSR 10-6.415 Restricted Zones**

(1) The following zones are closed to all fishing:

(A) Black River within the wing walls of Clearwater Dam.

(B) Clarence Cannon Reregulation Pool within four hundred feet (400') below Clarence Cannon Dam (the no-boating zone).

(C) Greer Spring Branch as posted upstream from the south boundary of the private reservation.

(D) Lake Taneycomo within seven hundred sixty feet

(760') below Table Rock Dam.

(E) Osage River within two hundred twenty-five feet (225') below Bagnell Dam.

(F) Osage River/Lake of the Ozarks within five hundred twenty-five feet (525') on the left descending bank and nine hundred seventy-seven feet (977') on the right descending bank below Truman Dam in the U.S. Army Corps of Engineers' restricted zone.

(G) St. Francis River within two hundred twenty-five feet (225') below Wappapello Dam.

(2) Fish may be taken only by pole and line from:

(A) Blue Springs Lake, except that shad may be taken by dip net or throw net.

(B) Clarence Cannon Reregulation Pool from the posted powerline crossing upstream to the no-boating zone four hundred feet (400') below Clarence Cannon Dam.

(C) Little Platte River between Smithville Dam and U.S. Highway 169.

(D) Longview Lake, except that shad may be taken by dip net and throw net.

(E) Sac River from below Stockton Dam to Highway 32.

(F) Salt River from below Clarence Cannon Reregulation Pool Dam to Route A.

(G) Lake Taneycomo between the closed zone seven hundred sixty feet (760') below Table Rock Dam to the mouth of Fall Creek.

*(See definition of pole and line in Rule 3 CSR 10-20.805.)*

(3) Fish may be taken by all prescribed methods except trotlines, throwlines and limb lines from:

(A) Bull Shoals Lake from below Powersite Dam to Highway 76.

(B) Osage River from the no-fishing zone below Bagnell Dam to U.S. Highway 54. Snagging, snaring and grabbing are also excluded in this zone.

(C) Osage River/Lake of the Ozarks from the no fishing zone below Truman Dam to U.S. Highway 65. Snagging, snaring, grabbing and use of jug lines are also excluded in this zone.

(D) Black River within seven hundred feet (700') below the spillway walls of Clearwater Dam. Bowfishing and gigging are also excluded in this zone.

(E) St. Francis River within seven hundred feet (700') below the spillway walls of Wappapello Dam. Bowfishing and gigging are also excluded in this zone.

(4) Fish may be taken by all prescribed methods except gig, crossbow and longbow on the following waters and as further restricted in subsections (5) (D), (F), (H), (K) and (L) of this rule. Fish taken by gig, crossbow and longbow may not be possessed on these waters or the banks thereof.

(A) Current River from Montauk State Park to Cedar Grove.

(B) Eleven Point River from its confluence with Greer

Spring Branch to Turner Mill.

(C) Little Piney Creek from the Phelps County line in Sections 9 and 16 of T35N, R8W, including Piney Spring Branch and Lane Spring Branch, to Milldam Hollow Access.

(D) North Fork of White River in Ozark County from the upper outlet of Rainbow Spring to Blair Bridge.

(E) Roubidoux Creek from the elevated utility cable crossing approximately one-half (1/2) mile below the Business I-44 bridge in Waynesville to its confluence with the Gasconade River.

(5) Fish may be taken by all prescribed methods except that only flies and artificial lures may be used when fishing and soft plastic baits and natural and scented baits are specifically prohibited in:

(A) Barren Fork Creek in Shannon County from County Road A-D to its confluence with Sinking Creek.

(B) Blue Spring Creek in Crawford County from Blue Spring to its confluence with Meramec River.

(C) Crane Creek in Stone and Lawrence counties upstream from Quail Spur Crossing on Stone County Road 13-195.

(D) Current River from Montauk State Park to Cedar Grove.

(E) Dry Fork Creek in Crawford and Phelps counties from the elevated cable crossing to its confluence with the Meramec River.

(F) Eleven Point River in Oregon County from its confluence with Greer Spring Branch to Turner Mill.

(G) Lake Taneycomo in Taney County from the closed zone seven hundred sixty feet (760') below Table Rock Dam to the mouth of Fall Creek.

(H) Little Piney Creek from the Phelps County line in Sections 9 and 16 of T35N, R8W, including Piney Spring Branch and Lane Spring Branch, to Milldam Hollow Access.

(I) Meramec River in Crawford and Phelps counties from Highway 8 bridge to Scott's Ford.

(J) Mill Creek in Phelps County from Yelton Spring to its confluence with Little Piney River including Wilkins Spring and spring branch.

(K) North Fork of White River in Ozark County from the upper outlet of Rainbow Spring to Blair Bridge.

(L) Roubidoux Creek from the elevated utility cable crossing approximately one-half (1/2) mile below the Business I-44 bridge in Waynesville to its confluence with the Gasconade River.

(M) Spring Creek in Phelps County from Relfe Spring to its confluence with Big Piney River.

### **3 CSR 10-6.505 Black Bass**

(1) Daily Limit: Six (6) in the aggregate, including smallmouth bass, largemouth bass, spotted bass and all black bass hybrids, except:

(A) The daily limit may include no more than one (1)

smallmouth bass on the Big Piney River from Slabtown Access to Ross Access, the Eleven Point River from Thomasville Access to the Arkansas line, the Gasconade River from the Highway Y bridge (Pulaski County) to the Highway D bridge (Phelps County), the Jacks Fork River from the Highway 17 bridge to the Highway 106 bridge, the James River from the Hooten Town bridge (Stone County Road A-90) to the Highway 13 bridge, Osage Fork of the Gasconade River from the Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River and Tenmile Creek from the Highway B bridge (Carter County) to its confluence with Cane Creek.

(B) On Big Buffalo Creek and its tributaries down to Lake of the Ozarks (at county bridge on Zora Road, Benton County, Section 25, T41N, R20W), all smallmouth bass must be returned to the water immediately after being caught.

(C) The daily limit is two (2) black bass on Montrose Lake and the Elk River.

(D) On the Meramec, Big and Bourbeuse rivers and their tributaries, the daily and possession limit for black bass is twelve (12) in the aggregate and may include no more than six (6) largemouth bass and smallmouth bass in the aggregate, except that the daily limit may include no more than one (1) smallmouth bass on the Big River from Leadwood Access to its confluence with the Meramec River, the Meramec River from Scott's Ford to the railroad

crossing at Bird's Nest, and Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons.

(A) Streams: Black bass may be taken throughout the year from the Mississippi River, all waters north of the south bank of the Missouri River, the St. Francis River downstream from Wappapello Dam and in that portion of southeast Missouri bounded by a line from Cape Girardeau following Highways 74 and 25, U.S. Highways 60, 67 and 160, and the west bank of the Little Black River to the Arkansas state line. In the remainder of the state from March 1 through the Friday before the fourth Saturday in May, no black bass may be possessed on the unimpounded portion of any stream and all black bass must be returned to the water immediately after being caught.

(B) Impoundments: Throughout the year.

(4) Length Limits.

(A) Streams: All black bass less than twelve inches (12") in total length must be returned to the water unharmed immediately after being caught from the unimpounded portion of any stream, including Pools 20-26 on the Mississippi River, except as follows:

1. On the Meramec, Big and Bourbeuse rivers and their tributaries, there is no length limit on

spotted (Kentucky) bass.

2. On the Big Piney River from Slabtown Access to Ross Access, the Eleven Point River from Thomasville Access to the Arkansas line, the Meramec River from Scott's Ford to the railroad crossing at Bird's Nest, the Big River from Leadwood Access to its confluence with the Meramec River, Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River, Osage Fork of the Gasconade River from the Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River and Tenmile Creek from the Highway B bridge (Carter County) to its confluence with Cane Creek, all smallmouth bass less than fifteen inches (15") in total length must be returned to the water unharmed immediately after being caught.

3. On the Jacks Fork River from Highway 17 bridge to Highway 106 bridge and the Gasconade River from Highway Y bridge (Pulaski County) to Highway D bridge (Phelps County), all smallmouth bass less than eighteen inches (18") in total length must be returned to the water unharmed immediately after being caught.

4. On the James River from Hooten Town bridge (Stone County Road A-90) to Highway 13 bridge, all smallmouth bass and largemouth bass less than fifteen inches (15") must be returned to the water unharmed immediately after being caught.



5. On the Elk River, all black bass less than fifteen inches (15") in total length must be returned to the water unharmed immediately after being caught.

(B) Impoundments: No length limits, except:

1. All black bass less than fifteen inches (15") in total length must be returned to the water unharmed immediately after being caught from Blue Springs Lake, Long Branch Lake, Longview Lake, Mark Twain Lake, Smithville Lake, Table Rock Lake, Thomas Hill Lake, Truman Lake or Stockton Lake.

2. All black bass less than thirteen inches (13") in total length must be returned to the water unharmed immediately after being caught from Pomme de Terre Lake.

3. All black bass less than twelve inches (12") in total length must be returned to the water unharmed immediately after being caught from the Clarence Cannon Reregulation Pool (below Mark Twain Lake dam).

4. All largemouth bass and smallmouth bass less than fifteen inches (15") and all spotted (Kentucky) bass less than twelve inches (12") in total length must be returned to the water unharmed immediately after being caught from Bull Shoals Lake, Lake of the Ozarks or Norfolk Lake.

5. All black bass less than eighteen inches (18")

in total length must be returned to the water unharmed immediately after being caught from Montrose Lake.

### **3 CSR 10-6.510 Channel Catfish, Blue Catfish, Flathead Catfish**

(1) Daily Limit: Ten (10) channel catfish and blue catfish in the aggregate and five (5) flathead catfish, except:

(A) From the no fishing zone below Truman Dam downstream throughout the no boating zone, the daily limit of channel catfish, blue catfish and flathead catfish is four (4) in the aggregate.

(B) On Bull Shoals Lake, Norfolk Lake and Table Rock Lake, the daily limit of channel catfish, blue catfish and flathead catfish is ten (10) in the aggregate.

(C) On the Mississippi River, the daily and possession limit is twenty (20) channel catfish and blue catfish in the aggregate and ten (10) flathead catfish.

(D) On Longview Lake, the daily limit is one (1) flathead catfish.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: Throughout the year.

(4) Length Limits: No length limits, except:

(A) From the no fishing zone below Truman Dam downstream throughout the no boating zone, the daily limit of channel catfish, blue catfish and flat-

head catfish may include only one (1) fish more than twenty-four inches (24") in total length.

(B) All flathead catfish less than twenty-four inches (24") in total length must be returned to the water unharmed immediately after being caught from Longview Lake.

### **3 CSR 10-6.515 Crappie**

(1) Daily Limit: Thirty (30) in the aggregate, including white crappie and black crappie, except on the following waters where the daily limit is fifteen (15): Bull Shoals Lake, Lake of the Ozarks, Long Branch Lake, Mark Twain Lake, Montrose Lake, Norfolk Lake, Pomme de Terre Lake, Smithville Lake, Stockton Lake, Table Rock Lake, Thomas Hill Lake and Truman Lake.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: Throughout the year.

(4) Length Limits: No length limits, except:

(A) All crappie less than nine inches (9") in total length must be returned to the water unharmed immediately after being caught from Lake of the Ozarks, Pomme de Terre Lake, Smithville Lake and Truman Lake.

(B) All crappie less than ten inches (10") in total length must be returned to the water unharmed immediately after being caught from Bull Shoals Lake, Norfolk Lake, Stockton Lake and Table Rock Lake.

### **3 CSR 10-6.520 Muskellunge, Northern Pike, Grass Pickerel, Chain Pickerel**

(1) Daily Limit: One (1) muskellunge or one (1) northern pike, and six (6) grass pickerel and chain pickerel in the aggregate.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: Throughout the year.

(4) Length Limits: All muskellunge less than thirty-six inches (36") in total length must be returned to the water unharmed immediately after being caught.

### **3 CSR 10-6.525 Paddlefish**

(1) Daily Limit: Two (2).

(2) Methods: Pole and line, snagging, grabbing, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: March 15 through April 30, except on the Mississippi River where the season is March 15 through May 15 and September 15 through December 15.

(4) Length Limits: All paddlefish less than twenty-four inches (24") in body length, measured from the eye to the fork of the tail, must be returned to the water unharmed immediately after being caught. On Lake of the Ozarks and its tributaries, Table Rock Lake and its tributaries and Truman Lake and its tributaries, all paddlefish less than thirty-four inches (34") in body length, measured from the eye to the fork of the tail, must be returned to the water unharmed immediately after being caught.

(5) Extracted paddlefish eggs may not be possessed while on waters of the state or adjacent banks, and may not be transported. Paddlefish eggs may not be bought, sold, or offered for sale.

(6) Paddlefish, or parts thereof (including eggs), may not be used for bait.

(7) Paddlefish may not be possessed on the water or adjacent banks from Truman Dam downstream throughout the no-boating zone and the Little Platte River from Smithville Dam downstream to U.S. Highway 169.

(8) On Lake of the Ozarks and its tributaries, Osage River below U.S. Highway 54 and Truman Lake and its tributaries, no person shall continue to snag, snare or grab for any species after taking a daily limit of two (2) paddlefish.

*(Paddlefish may not be taken from restricted zones closed to fishing and snagging as provided in 3 CSR 10-6.415 and 3 CSR 10-6.550.)*

### **3 CSR 10-6.530 Rock Bass (goggle-eye) and Warmouth**

(1) Daily Limit: Fifteen (15) in the aggregate.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: Throughout the year.

(4) Length Limits: No length limits, except all rock bass less than eight inches (8") in total length must be returned to the water unharmed immediately after being caught on the Big Piney River from Highway 17

bridge (in Texas County) to its confluence with the Gasconade River, the Eleven Point River from Thomasville access to the Arkansas line and the Osage Fork of the Gasconade River from Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River.

**3 CSR 10-6.533 Shovelnose Sturgeon** *(3 CSR 10.10-6.533 goes into effect July 1, 2004. Until July 1, 2004, shovelnose sturgeon are considered "other fish" and are covered under 3 CSR 10-6.550.)*

(1) Daily Limit: Ten (10).

(2) Methods and Seasons.

(A) Shovelnose sturgeon may be taken by pole and line, trotline, throwline, limb line, bank line, jug line and falconry throughout the year.

(B) Shovelnose sturgeon may be taken by snagging, snaring or grabbing from March 15 through May 15 and from September 15 through January 31, except:

1. In the Osage River downstream from U.S. Highway 54 to its confluence with the Missouri River and in the impounded waters of Lake of the Ozarks and Truman Lake, shovelnose sturgeon may be taken by these methods only from March 15 through April 30.

2. In the Mississippi River, shovelnose sturgeon may be taken by these methods from March 15 through May 15 and from September 15 through December 15.

3. On Lake of the Ozarks and its tributaries, Osage River below U.S. Highway 54 and Truman Lake and its tributaries, no person shall continue to snag, snare or grab for any species after taking a daily limit of two (2) paddlefish.

(3) Length Limits: All shovelnose sturgeon more than thirty inches (30") in length, measured from the tip of snout to the fork of tail, must be returned to the water unharmed immediately after being caught.

(4) Shovelnose sturgeon, or parts thereof (including eggs), may not be used as bait.

(5) Shovelnose sturgeon must remain whole and intact while on waters of the state or adjacent banks.

(6) Extracted shovelnose sturgeon eggs may not be possessed while on waters of the state or adjacent banks, and may not be transported. Shovelnose sturgeon eggs may not be bought, sold or offered for sale.

### **3 CSR 10-6.535 Trout**

(1) Daily Limit: Five (5) trout in the aggregate, except:

(A) All trout must be released unharmed immediately after being caught from Barren Fork Creek in Shannon County from County Road A-D to its confluence with Sinking Creek and Crane Creek in Stone and Lawrence counties upstream from Quail Spur Crossing on Stone County Road 13-195.

(B) On Lake Taneycomo and its tributaries and on the Niangua River and its tributaries, only one (1) brown trout may be included in the aggregate daily

limit of trout.

(C) The daily limit is one (1) trout in: Blue Spring Creek in Crawford County from Blue Spring to its confluence with Meramec River; Eleven Point River in Oregon County from its confluence with Greer Spring Branch to Turner Mill; Little Piney Creek from the Phelps County line in Sections 9 and 16 of T35N, R8W, including Piney Spring Branch and Lane Spring Branch, to Milldam Hollow Access; Spring Creek in Phelps County from Relfe Spring to its confluence with Big Piney River; Mill Creek in Phelps County from Yelton Spring to its confluence with Little Piney Creek including Wilkins Spring and spring branch; and the North Fork of White River in Ozark County from the upper outlet of Rainbow Spring to Blair Bridge.

(D) The daily limit is three (3) trout in: Meramec River and its tributaries, except Meramec Spring Branch, in Crawford and Phelps counties from Highway 8 bridge to Scott's Ford; the unimpounded portion of the North Fork of White River and its tributaries in Ozark County from Blair Bridge to Norfolk Lake; Current River and its tributaries from Montauk State Park to Cedar Grove; and Roubidoux Creek from the elevated utility cable crossing approximately one-half (1/2) mile below the Business I-44 bridge in Waynesville to its confluence with the Gasconade River.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry, except as further

restricted in this rule.

(A) Only flies and artificial lures may be used when fishing on the waters listed in subsections (1) (A) and (4) (C) and (E) of this rule, and on the Meramec River in Crawford and Phelps counties from Highway 8 bridge to Scott's Ford, on Dry Fork Creek in Crawford and Phelps counties from the elevated cable crossing to its confluence with the Meramec River, on the Current River from Montauk State Park to Cedar Grove, and on Roubidoux Creek from the elevated utility cable crossing approximately one-half (1/2) mile below the Business I-44 bridge in Waynesville to its confluence with the Gasconade River. Soft plastic baits and natural and scented baits are specifically prohibited.

(3) Seasons: Throughout the year.

(4) Length Limits: No length limits, except:

(A) All brown trout less than twenty inches (20") in total length must be released unharmed immediately after being caught from Lake Taneycomo and its tributaries.

(B) All brown trout less than eighteen inches (18") in total length must be released unharmed immediately after being caught from the Niangua River and its tributaries.

(C) All trout less than eighteen inches (18") in total length must be released unharmed immediately after being caught from Blue Spring Creek in Crawford County from Blue Spring to its confluence

with Meramec River; Eleven Point River in Oregon County from its confluence with Greer Spring Branch to Turner Mill; Little Piney Creek from the Phelps County line in Sections 9 and 16 of T35N, R8W, including Piney Spring Branch and Lane Spring Branch, to Milldam Hollow Access; Spring Creek in Phelps County from Relfe Spring to its confluence with Big Piney River; Mill Creek in Phelps County from Yelton Spring to its confluence with Little Piney Creek including Wilkins Spring and spring branch; and North Fork of White River in Ozark County from the upper outlet of Rainbow Spring to Blair Bridge.

(D) All trout less than fifteen inches (15") in total length must be released unharmed immediately after being caught on the Meramec River and its tributaries in Crawford and Phelps counties from Highway 8 bridge to Scott's Ford, except Meramec Spring Branch; on the unimpounded portion of the North Fork of White River and its tributaries in Ozark County from Blair Bridge to Norfork Lake; on the Current River and its tributaries from Montauk State Park to Cedar Grove; and on the Roubidoux Creek from the elevated utility cable crossing approximately one-half (1/2) mile below the Business I-44 bridge in Waynesville to its confluence with the Gasconade River.

(E) Rainbow trout twelve inches (12") to twenty inches (20") in total length must be released unharmed immediately after being caught in Lake

Taneycomo from the closed zone seven hundred sixty feet (760') below Table Rock Dam to the mouth of Fall Creek.

(5) Permits: A trout permit, in addition to the prescribed fishing permit, is required to possess and transport trout except in areas where a daily fishing tag is required.

### **3 CSR 10-6.540 Walleye and Sauger**

(1) Daily Limit: Four (4) in the aggregate, except:

(A) On the Mississippi River, the daily and possession limit is eight (8).

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: Throughout the year, except that from February 20 through April 14 walleye and sauger may be taken and possessed only between 6:30 a.m. and 6:30 p.m. Central Standard Time (CST) in the Swan Creek Arm of Bull Shoals Lake above Highway 160 and in the unimpounded portions of all streams except the Mississippi and Missouri rivers. Walleye and sauger may not be possessed on waters or banks thereof during closed seasons or closed hours.

(4) Length Limits: All walleye and sauger less than fifteen inches (15") in total length must be returned to the water unharmed immediately after being caught, except:

(A) All walleye and sauger less than eighteen inches (18") in total length must be returned to the water

unharmed immediately after being caught from Bull Shoals Lake and its tributaries, Current River and its tributaries, Eleven Point River and its tributaries, Long Branch Lake, Norfork Lake and its tributaries, Table Rock Lake and Wappapello Lake and its tributaries including the St. Francis River and its tributaries above Wappapello Dam.

(B) On the Mississippi River, there is no length limit on walleye and sauger.

### **3 CSR 10-6.545 White Bass, Yellow Bass, Striped Bass**

(1) Daily Limit: Fifteen (15) white bass, yellow bass, striped bass and their hybrids in the aggregate, except:

(A) On Thomas Hill Lake where the daily limit is four (4) in the aggregate.

(B) On the Mississippi River where the daily and possession limit is thirty (30) in the aggregate.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, jug line and falconry.

(3) Seasons: Throughout the year.

(4) Length Limits: No length limits, except the daily limit of white bass, yellow bass, striped bass and their hybrids may include not more than four (4) fish more than eighteen inches (18") in total length.

(A) On Thomas Hill Lake, all white bass, yellow bass, striped bass and their hybrids less than twenty inches (20") in total length must be returned to the water unharmed immediately after being caught.

(B) On the Mississippi River, there is no length limit on white bass, yellow bass, striped bass and their hybrids.

### 3 CSR 10-6.550 Other Fish

(1) Daily Limit: The daily limit for fish, other than those species listed as endangered in 3 CSR 10-4.111 or defined as game fish, is fifty (50) in the aggregate, if taken by pole and line, trotline, throwline, limb line, bank line, jug line or underwater spearfishing. The daily limit if taken by gig, longbow, crossbow, snaring, snagging, grabbing and falconry is twenty (20), in the aggregate. Bighead carp, common carp, goldfish, grass carp and silver carp may be taken and possessed in any number.

(A) In the Current River from Cedar Grove downstream to the Arkansas line, the daily limit may include no more than five (5) hogsuckers.

(B) In the Mississippi River, the daily and possession limit for fish included in this rule, except bighead carp, common carp, goldfish, grass carp and silver carp, is one hundred (100) in the aggregate.

*(See definition of game fish in Rule 3 CSR 10-20.805.)*

(2) Methods and Seasons:

(A) Fish included in this rule may be taken by pole and line, trotline, throwline, limb line, bank line, jug line and falconry throughout the year.

(B) Fish included in this rule may be taken by snagging, snaring or grabbing from March 15 through

May 15 and from September 15 through January 31, except:

1. In the Osage River downstream from U.S. Highway 54 to its confluence with the Missouri River and in the impounded waters of Lake of the Ozarks and Truman Lake, fish may be taken by these methods only from March 15 through April 30.

2. In the Mississippi River, fish may be taken by these methods from March 15 through May 15 and from September 15 through December 15.

3. On Lake of the Ozarks and its tributaries, Osage River below U.S. Highway 54 and Truman Lake and its tributaries, no person shall continue to snag, snare or grab for any species after taking a daily limit of two (2) paddlefish.

(C) Fish included in this rule may be taken by longbow from streams between sunrise and midnight and from impounded waters during all hours throughout the year; except that from February 1 through March 31 on impounded waters, fish may be taken by this method only between sunrise and midnight.

(D) Fish included in this rule may be taken by gig from streams and impoundments between sunrise and midnight from September 15 through January 31, and from impounded waters between sunrise and sunset throughout the remainder of the year.

(E) Fish included in this rule may be taken by cross-

bow or underwater spearfishing from impounded waters between sunrise and sunset throughout the year.

(F) Fish included in this rule may be taken from waters existing temporarily through overflow outside the banks of a river or ditch by gig, underwater spearfishing, longbow, crossbow, snagging or grabbing between sunrise and sunset throughout the year.

(3) Fish taken under this rule may be used as bait; except that bowfin, or parts thereof (including eggs), may not be used as bait.

*(Shovelnose sturgeon, which are classified as "other fish" until June 30, 2004, their parts thereof (including eggs) also may not be used as bait.)*

(4) Bowfin must remain whole and intact while on waters of the state or adjacent banks.

*(Shovelnose sturgeon, which are classified as "other fish" until June 30, 2004, must also remain whole and intact while on water of the state or adjacent banks.)*

### **3 CSR 10-6.605 Live Bait**

(1) Daily Limit: In the aggregate, one hundred fifty (150) crayfish, freshwater shrimp, frogs (except bullfrogs and green frogs), tiger salamander larvae and those species of fish not defined as game fish in 3 CSR 10-20.805, except that bighead carp, common carp, goldfish, grass carp and silver carp may be taken and possessed in any number.

*(Endangered species listed under 3 CSR 10-4.111 may not*

*be taken or possessed.)*

(2) Methods.

(A) Live bait may be taken by a minnow trap with throat opening not to exceed one and one-half inches (1 1/2") in any dimension, dip net, throw net, pole and line, or a seine not more than twenty feet (20') long and four feet (4') deep, of a mesh not more than one-half inch (1/2") bar measure.

(B) Live bait, except fish, may be taken by hand.

(C) Crayfish may also be taken by trap with an opening not to exceed one and one-half inches (1 1/2") by eighteen inches (18").

(3) Seasons: Throughout the year.

(4) Length Limits: All bluegill, green sunfish and bullheads more than five inches (5") in total length and other fish more than twelve inches (12") in total length must be returned to the water immediately after being caught by the methods prescribed in this rule.

(5) Live bait, when purchased or obtained from a source other than the waters of the state or a licensed commercial fisherman, must be species listed in the Approved Aquatic Species List (3 CSR 10-9.110) and may be possessed in any number.

*(Fish of any size taken under 3 CSR 10-6.550 Other Fish may be used as bait.)*

### **3 CSR 10-6.610 Mussels and Clams**

(1) Daily Limit: Five (5) in the aggregate. Limits apply to live or dead animals. Two (2) shell halves (valves) shall



## CHAPTER 7 WILDLIFE CODE: HUNTING: SEASONS, METHODS, LIMITS

### 3 CSR 10-7.405 General Provisions

(1) Any person while hunting or while using dogs or birds of prey in pursuit of wildlife in any manner, including training, shall have on his/her person the prescribed permit, temporary permit authorization number(s) or evidence of exemption. The temporary permit authorization number(s) and picture identification must be carried at all times while hunting until the actual permit(s) is received. Wildlife may not be held alive under hunting permits.

(2) There shall be no closed season or limits on house sparrows or European starlings.

(3) No person shall take or attempt to take any wildlife from or across a public roadway with a firearm, longbow or crossbow.

(4) Wildlife, except waterfowl, may not be pursued or taken while trapped or surrounded by floodwaters or while fleeing from floodwaters or fire.

(5) Wildlife, except raccoons or other furbearing animals when treed with the aid of dogs, may not be searched for, spotlighted, located, harassed or disturbed in any manner with the aid of an artificial light, headlight or spotlight from any roadway, whether public or private, or in any field, woodland or forest, by any per-

be considered one (1) mussel or clam. Asiatic clams may be taken and possessed in any number.

*(Endangered species listed under 3 CSR 10-4.111 may not be taken or possessed.)*

(2) Methods: Hand, handnet or pole and line.

(3) Seasons: Throughout the year.

(4) Mussels and clams taken and possessed under this rule may be used as bait.

### 3 CSR 10-6.615 Bullfrogs and Green Frogs

(1) Daily Limit: Eight (8) in the aggregate.

(2) Methods: Hand, handnet, gig, longbow, trotline, throwline, limb line, bank line, jug line, snagging, snaring, grabbing or pole and line by the holder of a fishing permit. An artificial light may be used.

*(See 3 CSR 10-7.445 for hunting methods.)*

(3) Seasons: Sunset June 30 through October 31.

### 3 CSR 10-6.620 Turtles

(1) Daily Limit: Five (5) common snapping turtles; five (5) soft-shelled turtles.

(2) Methods: Snagging, snaring, grabbing, longbow, crossbow, trotline, throwline, limb line, bank line, jug line, hand, handnet or pole and line. Shooting turtles with firearms is prohibited except as provided in 3 CSR 10-4.130.

(3) Seasons: Common snapping turtles throughout the year; soft-shelled turtles from July 1 through December 31.

son acting either singly or as one of a group of persons. This rule shall not apply to the use of a light by a landowner or lessee as defined by this Code on property under his/her control.

**3 CSR 10-7.410 Hunting Methods**

(1) Wildlife may be hunted and taken only in accordance with the following:

(A) Motor Driven Air, Land or Water Conveyances. No person shall pursue, take, attempt to take, drive or molest wildlife from or with a motor-driven air, land or water conveyance at any time. Except as provided in 3 CSR 10-7.435, motor boats may be used if the motor has been completely shut off and its progress therefrom has ceased.

(B) Artificial Light. No person shall throw or cast the rays of a spotlight, headlight or other artificial light on any highway or roadway, whether public or private, or in any field, woodland or forest for the purpose of spotting, locating or attempting to take or hunt any game animal, except raccoons or other furbearing animals when treed with the aid of dogs, while having in possession or control, either singly or as one (1) of a group of persons, any firearm, bow or other implement whereby game could be killed.

(C) Night Vision Equipment. No person may possess or control night vision equipment while acting singly or as one (1) of a group of persons while in possession of any firearm, bow or other implement

whereby wildlife could be killed or taken.

(D) Dogs. Dogs may be used during the prescribed open seasons to chase, pursue or take wildlife except deer, turkey, mink, muskrat, beaver and river otter. All dogs used to hunt, chase or pursue wildlife shall wear a collar while hunting that contains the full name and address or complete telephone number of the owner, except this provision does not apply to dogs used by waterfowl and game bird hunters. Furbearers, squirrels and rabbits may not be chased, pursued or taken with dogs during daylight hours of the November portion of the firearms deer season in Bollinger, Butler, Carter, Dent, Iron, Madison, Oregon, Reynolds, Ripley, Shannon and Wayne counties.

(E) Dogs (Training). For training dogs, wildlife, except deer, turkey, mink, muskrat, river otter and beaver, may be chased, but not captured or killed. No person, acting singly or as one (1) of a group, may possess or use a firearm while training dogs during the closed seasons, except that a pistol with blank ammunition may be used during daylight hours only. Training dogs shall include any act of allowing dogs to chase wildlife or to teach dogs to hunt wildlife.

(F) Falconry. Birds of prey of designated types may be used to pursue and take wildlife within the specified seasons and bag limits. Birds of prey may be possessed or used only by holders of a falconry permit.

(G) Firearms. Firearms may be used to take wildlife except beaver, mink, muskrat, river otter, turtles and fish, during the open seasons, with the following limitations: For hunting game birds (except the crow), pistols, revolvers and rifles may not be used. Except for hunting deer, any shotgun having a capacity of more than three (3) shells must have the magazine cut off or plugged with a device incapable of removal through the loading end, so as to reduce the capacity to not more than three (3) shells in magazine and chamber combined. Fully automatic firearms are prohibited.

(H) Special Firearms Provision. During the November portion and the antlerless-only portion of the firearms deer season in deer management units open to deer hunting, other wildlife and feral hogs (any hog, including Russian and European wild boar, that is not conspicuously identified by ear tags or other forms of identification and is roaming freely upon public or private lands without the landowner's permission) may be hunted only with a shotgun and shot not larger than No. 4, except that this provision does not apply to waterfowl hunters, trappers or to a landowner on his/her land or to a lessee on the land on which s/he resides.

(I) Bows. Longbows and crossbows may be used to take wildlife during the prescribed hunting seasons. Arrows and bolts containing any drug, poison, chemical or explosive are prohibited, but illuminated sights, scopes and quickpoint sights may be used.

Hand-held string releasing mechanisms are permitted with longbows.

(J) Slingshot. Slingshots may be used to take wildlife except deer and turkeys during the prescribed hunting seasons.

(K) Cage-Type Trap. Groundhogs, rabbits and squirrels may be taken by cage-type trap, the opening of which may not exceed one hundred forty-four (144) square inches, during the open hunting season, at any hour, by the holder of a hunting permit. Cage-type traps shall be plainly labeled on a durable material with the user's full name and address and shall be attended daily.

(L) Electronic Calls. Electronic calls may be used to pursue and take crows and furbearers, but without the aid of an artificial light or night vision equipment.

(M) No person shall place or scatter grain or other food items in a manner that subjects any hunter to violation of baiting rules, as defined by federal regulations and in 3 CSR 10-7.435 and 3 CSR 10-7.455 of this Code.

(N) Wildlife Retrieval. Any person while hunting who kills or injures any wildlife shall make a reasonable search to retrieve the wildlife and take it into his/her possession; however, this does not authorize trespass.

(O) Any properly licensed person having a physical disability that would prevent them from hunting or taking wildlife by methods prescribed in this chap-

ter, may attempt to take wildlife from a stationary vehicle, or may hunt wildlife with a crossbow in lieu of a longbow, provided while hunting s/he carries an affidavit provided by the department and signed by a licensed physician which certifies the person has either a permanent or temporary disability which qualifies him/her to hunt with a crossbow and/or from a stationary vehicle. This disabled person shall provide a copy of the signed affidavit to the department within ten (10) days of receiving the exemption.

(P) Hunter Orange. During the youth-only, November, and antlerless-only portions of the firearms deer hunting season, all hunters shall wear a cap or hat, and a shirt, vest or coat having the outermost color commonly known as daylight fluorescent orange, blaze orange or hunter orange which shall be plainly visible from all sides while being worn. Camouflage orange garments do not meet this requirement. This requirement shall not apply to migratory game bird hunters, to hunters using archery methods while hunting within municipal boundaries where discharge of firearms is prohibited, to hunters on federal or state public hunting areas where deer hunting is restricted to archery methods, or to hunters in closed deer management units during the antlerless-only portion of the firearms deer hunting season.

### **3 CSR 10-7.415 Quail: Seasons, Limits**

Quail may be taken from November 1 through January

15. Daily limit: eight (8) quail; possession limit: sixteen (16) quail.

### **3 CSR 10-7.417 Ruffed Grouse: Seasons, Limits**

Ruffed grouse may be taken from October 15 through January 15 in those parts of Boone, Callaway, Montgomery and Warren counties south of Interstate Highway 70, in that part of Macon County north of Highway 36, and in Adair, Carter, Crawford, Iron, Madison, Oregon, Putnam, Reynolds, Ripley, Ste. Genevieve, Shannon, Sullivan, Schuyler and Washington counties. Daily limit: two (2) ruffed grouse; possession limit: four (4) ruffed grouse.

### **3 CSR 10-7.420 Rabbits: Seasons, Limits**

(1) Cottontail and swamp rabbits may be taken between sunrise and sunset, from October 1 through February 15. Daily limit: six (6) rabbits; including no more than two (2) swamp rabbits; possession limit: twelve (12) rabbits; including no more than four (4) swamp rabbits.

(2) No jackrabbit shall be killed at any time except in accordance with 3 CSR 10-4.130.

### **3 CSR 10-7.425 Squirrels: Seasons, Limits**

Squirrels may be taken from the fourth Saturday in May through February 15. Daily limit: six (6) squirrels; possession limit: twelve (12) squirrels.

### **3 CSR 10-7.427 Groundhogs: Seasons, Limits**

Groundhogs (woodchucks) may be taken, possessed and sold in any numbers from the day following the

prescribed spring turkey hunting season through December 15.

### **3 CSR 10-7.430 Pheasants: Seasons, Limits**

(1) Male pheasants may be taken from November 1 through January 15 north of U.S. Highway 36 from the Kansas line to the Illinois line, and those portions of DeKalb and Buchanan counties lying south of U.S. Highway 36, and all of Platte and St. Charles counties. Daily limit: two (2) male pheasants; possession limit: four (4) male pheasants.

(2) Male pheasants only may be taken from December 1 through December 12 in Dunklin, New Madrid, Pemiscot and Stoddard counties. Daily limit: one (1) male pheasant; possession limit: one (1) male pheasant.

(3) A foot or the fully feathered head must be left attached to all pheasants during transportation and storage.

(4) No pheasants may be in the immediate possession of persons while hunting other wildlife in counties or portions of counties closed to pheasant hunting.

### **3 CSR 10-7.435 Deer**

(1) General Provisions.

(A) For the purposes of this rule, deer shall mean white-tailed deer and mule deer and antlered deer shall mean a deer with at least one (1) antler not less than three inches (3") long. Deer may be pursued, taken, killed, possessed or transported only as permitted in this rule.

*(Deer regulations are determined annually in May by the commission. Fall Deer and Turkey Hunting Information booklets are available at permit vendors in the summer.)*

### **3 CSR 10-7.440 Migratory Game Birds and Waterfowl: Seasons, Limits**

(1) Migratory game birds and waterfowl may be taken, possessed, transported and stored as provided in federal regulations. The head or one (1) fully feathered wing must remain attached to all waterfowl while being transported from the field to one's home or a commercial preservation facility.

*(Regulations for waterfowl and other migratory game birds including doves, rails, snipe and woodcock are determined annually by the commission following receipt of regulations prescribed by the Secretary of the Interior under authority of the Federal Migratory Bird Treaty Act.)*

### **3 CSR 10-7.441 Crows: Seasons, Methods, Limits**

Crows may be taken in any numbers by shotgun, rifle, handguns, archery and falconry from November 1 through March 3.

### **3 CSR 10-7.445 Bullfrogs: Seasons, Methods, Limits**

Bullfrogs and green frogs may be taken, possessed and transported from sunset, June 30 through October 31, by the holder of a hunting permit by means of a .22 caliber rimfire rifle or pistol or by pellet gun, longbow, crossbow, hand or handnet. An artificial light may be used. Daily limit: eight (8) frogs in the aggregate; possession limit: sixteen (16) frogs in the aggregate. Only

the daily limit of frogs may be possessed upon the waters and banks thereof where daily limits apply.

### **3 CSR 10-7.450 Furbearers: Hunting Seasons, Methods**

Striped skunk, raccoon, opossum, badger, red fox, gray fox and bobcat may be taken in any numbers by hunting from November 15 through February 15. Pelts of furbearers may be possessed, transported, consigned for processing and sold only by the taker from November 15 through March 1, except that bobcats or their pelts shall be delivered by the taker to an agent of the department for registration or tagging before selling, transferring, tanning or mounting, but not later than March 1. Tagged bobcats or their pelts may be possessed and sold throughout the year. It shall be illegal to purchase or sell untagged bobcats or their pelts. Other pelts may be delivered or shipped and consigned by the taker to a licensed taxidermist or tanner before the close of the possession season for pelts. These pelts must be recorded by the taxidermist or tanner and shall not enter the raw fur market. After tanning, pelts may be possessed, bought or sold without permit. Skinned carcasses of legally taken furbearers may be sold by the taker throughout the year. Coyotes may be taken by hunting, and pelts and carcasses may be possessed, transported and sold in any numbers throughout the year; except that coyotes may not be chased, pursued or taken during daylight hours from April 1 through the day prior to the beginning of the prescribed spring turkey hunting season, and may not be chased, pursued or taken through the prescribed spring

turkey hunting season, and no furbearers may be chased, pursued or taken during daylight hours with the aid of dogs from November 1 through the prescribed November portion of the firearms deer hunting season, during any extended firearms deer hunting season in deer management units open to hunting or with firearms from a boat at night. The dens or nests of furbearers shall not be molested or destroyed. No person shall accept payment for furbearers taken by another.

*(Certain Department of Health and Senior Services rules also govern how furbearer carcasses might be utilized.)*

### **3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits**

(1) Turkeys may be pursued, taken, killed, possessed or transported only as permitted in this rule.

(A) Spring Season. Spring season annually will begin on the Monday closest to April 21. A person possessing the prescribed turkey hunting permit may take turkeys according to the season length and bag limit established annually by the Conservation Commission; except that a person at least six (6) but not older than fifteen (15) years of age who possesses a Youth Deer and Turkey Hunting Permit may take only one (1) male turkey or turkey with visible beard during the season. Turkeys may be taken only by shotgun with shot no larger than No. 4, or long-bow, without the use of dogs, bait, recorded calls or live decoys, from one-half (1/2) hour before sunrise to 1:00 p.m. Central Daylight Time (CDT). Possession of shotshells loaded with shot larger than No. 4 is

prohibited while hunting turkeys.

(B) Fall Firearms Season. Fall season annually will begin on the second Monday in October and be fourteen (14) days in length. A person possessing the prescribed turkey hunting permit may take two (2) turkeys of either sex during the season; provided, only one (1) turkey may be taken per day; except that a person at least six (6) but not older than fifteen (15) years of age who possesses a Youth Deer and Turkey Hunting Permit may take one (1) turkey of either sex during the season. Turkeys may be taken only by shotgun with shot no larger than No. 4 or longbow; without the use of dogs, bait, recorded calls or live decoys; from one-half (1/2) hour before sunrise to sunset in all counties except: Dunklin, McDonald, Mississippi, New Madrid, Newton, Pemiscot and Scott. Possession of shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys. A person, while in the act of pursuing or hunting turkey on a fall firearms permit, shall not have both a firearm and longbow on his/her person.

(C) Fall Archery Season. A person possessing the prescribed archer's hunting permit may take two (2) turkeys of either sex from October 1 through January 15, excluding the dates of the November portion of the firearms deer season. Turkeys may be taken only by longbow; without the use of dogs, bait, recorded calls or live decoys; from one-half (1/2) hour before sunrise to one-half (1/2) hour after

sunset. An archer, while in the act of pursuing or hunting turkey on an archer's permit, shall not have a firearm on his/her person.

(D) Youth Spring Season. The two (2)-day Youth Spring Season will begin annually on the Saturday nine (9) days prior to the Monday opening of the Spring Season. A Missouri resident possessing a Youth Deer and Turkey Hunting Permit or the prescribed turkey hunting permit and who is at least six (6) but not older than fifteen (15) years of age on the opening day of the Youth Spring Season may take only one (1) male turkey or turkey with visible beard during the Youth Spring Season. A turkey harvested during the Youth Spring Season will count towards an individual's Spring Season bag limit; individuals hunting under the prescribed turkey hunting permit may not harvest a second bird during the first week of the Spring Season. Turkeys may be taken only by shotgun with shot no larger No. 4, or longbow, without the use of dogs, bait, recorded calls or live decoys, from one-half (1/2) hour before sunrise to 1:00 p.m. Central Daylight Time (CDT). Possession of shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys.

(2) Turkeys may be possessed or transported only by the taker thereof and only when tagged immediately with a transportation portion of the permit. Detachment of the transportation portion of the permit prior to taking a turkey renders the permit void. During the spring and fall firearms seasons, the taker shall submit these

turkeys with head and plumage intact, along with the prescribed hunting permit, for inspection and recording at an established checking station in the county where taken or an adjoining county between the hours of 7:00 a.m. and 3:00 p.m. CDT on the day taken during the spring season and not later than 8:00 p.m. CDT on the day taken during the fall season. During archery season, the taker shall submit these turkeys with head and plumage intact, along with the prescribed archery permit, for inspection and recording at an established archery checking station within twenty-four (24) hours of the take.

(3) Bait shall mean grain or other feed placed or scattered so as to constitute an attraction or enticement to turkeys. An area shall be considered baited for ten (10) days following complete removal of the bait.

(4) Each permit holder hunting with a shotgun shall first affix an approved safety sticker to the receiver of his/her gun where it will be in his/her line of sight when shooting, and maintain the sticker on the gun when hunting.

(5) A resident landowner or lessee as defined in this Code, without holding a turkey hunting permit, may take and possess turkey in accordance with this rule on his/her land or, in the case of the lessee, on the farm on which s/he resides, but s/he shall tag the turkey with his/her name and address immediately upon taking and shall personally deliver the turkey for checking as required in this rule.

(6) Any person who kills or injures any wild turkey shall make a reasonable effort to retrieve the turkey and include it in his/her season limit.

(7) Properly checked turkeys, when labeled with the full name, address and permit number of the taker, may be transported and possessed by any person.

(8) In accordance with section 270.400 of the Missouri Revised Statutes, feral hogs (any hog, including Russian and European wild boar, that is not conspicuously identified by ear tags or other forms of identification and is roaming freely upon public or private lands without the landowner's permission) may be taken in any number during the spring firearms turkey season and youth spring season only by the holder of a valid, unused turkey hunting permit; and only by methods and times prescribed for taking turkey. During the fall firearms turkey season, feral hogs may be taken only by the holder of a valid, unused turkey hunting permit or a small game hunting permit; and only by methods prescribed in Chapter 7 for taking wildlife, and without the use of bait. Other restrictions may apply on public lands. Resident landowners or lessees as defined in this Code may take feral hogs on their own property at any time, by any method and without permit.



**CHAPTER 8**  
**WILDLIFE CODE:**  
**TRAPPING: SEASONS, METHODS**

**3 CSR 10-8.505 Trapping**

Any person, to exercise the privilege of trapping, shall obtain and have on his/her person the prescribed permit or temporary permit authorization number(s), unless exempt under provisions of 3 CSR 10-5.205. The temporary permit authorization number(s) and picture identification must be carried at all times while trapping until the actual permit(s) is received. No person shall accept payment for furbearers taken by another. Furbearers may not be held alive under trapping permits, except as provided in 3 CSR 10- 8.515(7).

**3 CSR 10-8.510 Use of Traps**

(1) Traps shall have smooth or rubber jaws only, and may include foot-hold traps, killing-type (Conibear-type) traps, foot-enclosing-type traps, cage-type traps, colony traps with openings no greater than six inches (6") in height and six (6) inches wide, or snares (as defined in 3 CSR 10-20.805) set underwater only, and cable restraint devices (as defined in 3 CSR 10-20.805), but only with the prescribed permit. Use of pitfalls, deadfalls, snares set in a dry land set, and nets are prohibited.

(2) Traps, snares and cable restraint devices shall be plainly labeled, on durable material, with the user's full

name and address. Wildlife shall be removed or released from all restraining traps and cable restraint devices daily. Killer (Conibear-type) traps set underwater and colony traps set underwater shall be attended and wildlife removed at least once every forty-eight (48) hours. Traps may not be set in paths made or used by persons or domestic animals and Conibear-type traps may not be set along public roadways, except underwater in permanent waters. Except as provided in 3 CSR 10-4.130, only cage-type traps or foot-enclosing-type traps may be set within one hundred fifty feet (150') of any residence or occupied building located within the established boundaries of cities or towns containing ten thousand (10,000) or more inhabitants. Homes, dens or nests of furbearers shall not be molested or destroyed. Traps may be used in conjunction with electronic calls.

(3) Use of Conibear-type or killing-type traps:

(A) No Conibear-type trap with a jaw spread greater than five inches (5") shall be used in any dry land set.

(B) Conibear-type traps with a jaw spread not greater than eight inches (8") may be set six feet (6') or more above ground level in buildings.

(C) Conibear-type traps of any size may be set underwater.

(4) Use of snares and cable restraint devices:

(A) Snares (except as provided in section (4)(B)) must be set underwater. Snares (as defined in 3 CSR 10-20.805) must have a loop fifteen inches (15") or less

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in diameter when set and must have a stop device that prevents the snare from closing to less than two and one-half inches (2 1/2") in diameter.

(B) Furbearers may be taken by trapping through the use of cable restraint devices during specified seasons (3 CSR 10-8.515) by holders of a Cable Restraint Permit, after completing the Cable Restraint training course. Cable restraint devices (as defined in 3 CSR 10-20.805) must have a loop size of twelve inches (12") diameter or smaller when set, and the bottom of set restraint cable loop must be at least six inches (6") or greater above the ground. Cable restraint devices must be anchored solid or staked in a location not allowing entanglement (such as rooted, woody vegetation greater than one-half inch (1/2") in diameter), and shall not be capable of extending to within twelve inches (12") of a fence, nor shall be set using a drag, or used with a kill-pole. Cable restraint devices may not be used within one hundred fifty feet (150') of any residence, occupied building, or a driveway leading to a residence.

### **3 CSR 10-8.515 Furbearers: Trapping Seasons**

(1) Raccoon, opossum, striped skunk, badger, coyote, red fox, gray fox, bobcat, and mink may be taken in any numbers by trapping from November 15 through February 15. Beaver may be taken in any number by trapping from November 15 through March 31.

(2) Otters and muskrats may be taken by trapping during specified seasons and in specified limits described

below:

(A) A season limit of five (5) otters, and muskrats in any numbers may be taken from November 15 through February 15 in Otter Management Zones A, C, and D, described as:

1. Otter Management Zone A—That portion of northwest Missouri from the Iowa border and west of a line running south on Worth County Hwy. F to Mo. Hwy. 46; south on Mo. Hwy. 46 to U.S. Hwy. 136; south on U.S. Hwy. 136 to U.S. Hwy. 169; south on U.S. Hwy. 169 to Mo. Hwy. 31; south on Mo. Hwy. 31 to U.S. Hwy. 36; east on U. S. Hwy. 36 to U. S. Hwy. 69; south on U.S. Hwy. 69 to Mo. Hwy. 10; east on Mo. Hwy. 10 to Mo. Hwy. 13; south on Mo. Hwy. 13 to Interstate Hwy. 70; west on Interstate Hwy. 70 to Mo. Hwy. 131; south on Mo. Hwy. 131 to Mo. Hwy. 2; west on Mo. Hwy. 2 to the Kansas line.

2. Otter Management Zone C—That portion of eastern Missouri east and south of a line running west from the Illinois border on Interstate Hwy. 270 to Interstate Hwy. 44; west on Interstate Hwy. 44 to Mo. Hwy. 68; south on Mo. Hwy. 68 to Mo. Hwy. 32; and north of a line comprised of Mo. Hwy. 32 east to St. Francois County Hwy. OO; south on St. Francois County Hwy. OO to St. Francois County Hwy. T; east on St. Francois County Hwy. T to Mo. Hwy. 51; and west of Mo. Hwy. 51 to the Illinois line.

3. Otter Management Zone D—That portion of southwest Missouri west and south of a line running north from the Arkansas border on Mo. Hwy. 37 to U.S. Hwy. 60; east on U.S. Hwy. 60 to Mo. Hwy. 39; north on Mo. Hwy. 39 to U.S. Hwy. 160; west on U. S. Hwy. 160 to the Kansas line.

(B) Otters and muskrats may be taken in any numbers from November 15 through February 20 in Otter Management Zone E, described as:

1. Otter Management Zone E—That portion of south Missouri east and south of a line running north from the Arkansas border on Mo. Hwy. 37 to U.S. Hwy. 60; east on U.S. Hwy. 60 to Mo. Hwy. 39; north on Mo. Hwy. 39 to Interstate Hwy. 44; east on Interstate Hwy. 44 to U.S. Hwy. 65; east of a line running north on U.S. Hwy. 65 to Interstate Hwy. 70; south of a line running east on Interstate Hwy. 70 to the north bank of the Missouri River; east on the Missouri River to U.S. Hwy 63; south on U.S. Hwy. 63 to Mo. Hwy. 68; south on Mo. Hwy. 68 to Mo. Hwy. 32; and south of a line comprised of Mo. Hwy. 32 to U. S. Hwy. 67; south on U.S. Hwy. 67 to Mo. Hwy. 32; east on Mo. Hwy. 32 to St. Francois County Hwy. OO; south on St. Francois County Hwy. OO to St. Francois County Hwy. T; east on St. Francois County Hwy. T to Mo. Hwy. 51; and south and east of Mo. Hwy. 51 to the Illinois line.

(C) A season limit of twenty (20) otters and muskrats in any numbers may be taken from

November 15 through February 15 in Otter Management Zone B, described as:

1. Otter Management Zone B—The remainder of the state not in Otter Management Zone A, C, D, or E, as described above.

(3) Except in Otter Management Zone E, killer or Conibear-type traps with a jaw spread less than eight inches (8") and foothold traps with an inside width at the jaw post less than six inches (6") are prohibited in water sets after February 15. In Otter Management Zone E, killer or Conibear-type traps with a jaw spread less than eight inches (8") and foothold traps with an inside width at the jaw post less than six inches (6") are prohibited for trapping beavers after February 20. Traps may not be placed or set before November 15 and must be removed by midnight of the last day of the trapping season.

(4) Pelts of furbearers may be possessed, transported and sold only by the taker from November 15 through March 1, pelts of beaver may be possessed, transported, consigned for processing and sold by the taker from November 15 through April 10, and tagged bobcats and otters or their pelts may be possessed and sold throughout the year. Bobcats or their pelts shall be delivered by the taker to an agent of the department for registration or tagging; otters shall be delivered by the taker to an agent of the department only in the Otter Management Zone of harvest for registration or tagging. Bobcats and otters shall be registered or tagged before selling, transferring, tanning or mounting not later than March 1, except for otters taken in Otter Management

Zone E, not later than March 4. It shall be illegal to purchase or sell untagged bobcats and otters or their pelts. Other pelts may be delivered or shipped and consigned by the taker to a licensed taxidermist or tanner before the close of the possession season for pelts. These pelts must be recorded by the taxidermist or tanner and shall not enter the raw fur market. After tanning, pelts may be possessed, bought or sold without permit. Skinned carcasses of legally taken furbearers may be sold by the taker throughout the year.

*(Certain Department of Health and Senior Services rules also govern how furbearer carcasses might be utilized.)*

(5) Rabbits may be taken by trap from November 20 through January 20 within prescribed hunting limits, but carcasses may not be sold.

(6) Restrictions on possession shall not apply to tanned pelts, mounted specimens or manufactured products.

(7) Red fox, gray fox and coyotes may be taken alive during established seasons by prescribed methods and held in captivity. They may not be exported and may only be sold or given to holders of a valid Hound Running Area Operator's Permit. Coyotes, red fox and gray fox may not be possessed after March 1. These animals may be held for no longer than seventy-two (72) hours after capture, except when confined in facilities and cared for as specified in 3 CSR 10-9.220, and after approval by an agent of the department. Complete and current records of all transactions must be maintained showing the county of origin, the species, date captured, date of transfer and name and permit number of

the hound running area operator/dealer receiving each individual animal. These records shall be kept on forms provided by the department and submitted to an agent of the department by April 15. Records shall be made available for inspection by an authorized agent of the department at any reasonable time.

(8) Furbearers may be taken by trapping through the use of cable restraint devices from December 15 through February 15, by holders of a Cable Restraint Permit. This permit may be issued only to the holder of a Resident Trapping Permit who has successfully completed a cable restraint training course, validated by a certified instructor. Cable restraint devices (as defined in 3 CSR 10-20.805) must have a loop size of twelve inches (12") diameter or smaller when set, and the bottom of set restraint cable loop must be at least six inches (6") or greater above the ground. Cable restraint devices must be anchored solid or staked in a location not allowing entanglement (such as rooted, woody vegetation greater than one-half inch (1/2") in diameter), and shall not be capable of extending to within twelve inches (12") of a fence, nor shall be set using a drag, or used with a kill-pole. Cable restraint devices may not be used within one hundred fifty feet (150') of any dwelling or driveway leading to a dwelling. All cable restraint devices shall be plainly labeled, on durable material, with the user's full name and address and shall be attended daily.

## CHAPTER 9

### WILDLIFE CODE: CONFINED WILDLIFE: PRIVILEGES, PERMITS, STANDARDS

#### 3 CSR 10-9.105 General Provisions

Any person holding wildlife in captivity in any manner shall have in his/her possession the prescribed permit or evidence of exemption. Renewal of permits is conditioned on compliance with provisions of the Wildlife Code.

#### 3 CSR 10-9.106 Confined Wildlife Permits: How Obtained, Replacements

Confined wildlife permits and replacements for them may be issued only through the department office in Jefferson City upon receipt of proper application and the required permit fee. A service fee of three dollars (\$3) is required for a replacement confined wildlife permit.

#### 3 CSR 10-9.110 General Prohibition; Applications

(1) A maximum of five (5) specimens of any native wildlife not listed in 3 CSR 10-4.110(4) or 3 CSR 10-9.240, except endangered species, bats, and alligator snapping turtles, may be taken and possessed alive by a resident of Missouri without permit, but these animals shall not be bought or sold. Bones, skins, shells and other parts of such wildlife may be possessed for personal use without permit, but these wildlife parts in any form shall not be bought or sold.

(2) Except for federally-designated endangered species and species listed in 3 CSR 10-9.240, the following may be bought, sold, possessed, transported and exhibited without permit: Asiatic clams (*Corbicula* species) taken from impoundments that are not waters of the state; bison; amphibians, reptiles, and mammals not native to Missouri; and those birds (except ring-necked pheasants and gray partridge) not native to the continental United States.

(3) Fish, tiger salamander larvae and crayfish may be bought, sold, transported, propagated, taken and possessed by any person without permit throughout the year in any number or size and by any method, providing—

(A) That person has in his/her possession a dated, written statement showing the number or weight of each species and the weight of extracted fish eggs (raw or processed) of each species, as proof that such animals or fish eggs were obtained from other than waters of the state or from a licensed commercial fisherman, provided that animals or fish eggs from outside the state were legally obtained from a commercial source.

(B) That person shall keep a dated receipt that includes the number or weight of each species and the weight of extracted fish eggs (raw or processed) of each species, that were sold or given away and the name, address and signature of the recipient. These receipts shall be retained for three (3) years and shall be made available for inspection by an

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authorized agent of the department at any reasonable time.

(C) That person is in compliance with all provisions of the *Wildlife Code of Missouri* pertaining to importation, purchase, or sale of endangered species, and importation of live fish or viable fish eggs of the family *Salmonidae*.

(D) That the privileges of this section do not apply to taking or possession in, on or from waters of the state, waters stocked by the state, or waters subject to movements of fishes into and from waters of the state, except:

1. Animals defined as live bait and possessed under provisions of this section may be possessed on the waters of the state for use as live bait.
2. Fish cultured by a commercial fish producer that remain in a man-made impoundment following inundation by flooding from waters of the state as defined in this Code shall be considered the property of the impoundment owner; provided the remaining fish species are the same as were present in the impoundment prior to inundation. Any other fish species in the impoundment shall be considered the property of the state and not available for sale, and shall be returned unharmed immediately to the waters of the state when harvested.
3. With the written authorization of the director, a privately-owned impoundment that is entirely

confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or as tenants in common or by corporate shareholders, and that is designated as waters of the state, may be used for the commercial production of species listed in the Approved Aquatic Species List in 3 CSR 10-9.110(3)(F) that were not stocked by the department, provided that:

- A. The impoundment owner has in his/her possession a dated, written statement showing the number or weight of each species stocked as proof that such animals were legally obtained from other than waters of the state or from a licensed commercial fisherman.
- B. The species being produced may be harvested by the methods and under the conditions specified in the director's written authorization. All other species caught during culture activities must be returned unharmed immediately to the water.
- C. Statewide seasons, methods and limits apply for all other species.

(E) That the privileges of this section apply only to the following:

1. Species listed in the Approved Aquatic Species List (including all subspecies, varieties and hybrids of the same bought, sold, transported,

propagated, taken and possessed for purposes of aquaculture.

2. Species frozen or processed for sale as food products.
3. Species incapable of surviving in fresh water.
4. Species held only in aquaria, tanks or other containers having water discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources.
5. Species held only in a closed system from which the escape of live organisms (including eggs, parasites and diseases) is not possible. The species to be held and the system to be used must receive prior written approval from the director.

*(The Approved Aquatic Species List is of limited interest and not reproduced in this Code, but is available upon request from the Conservation Department and is on the State of Missouri's website. See page 194.)*

- (4) Live fish, their eggs and gametes of the family *Salmonidae* (trouts, char, salmon) may be imported to the state only by the holder of a fish importation permit and any other appropriate state permit. This importation permit shall be issued at no charge, for each shipment, to a person who has applied upon a special form furnished by the department which is included herein,

if this application is received not less than fifteen (15) nor more than eighty (80) days prior to the shipment, and if the shipment is considered not detrimental to the fisheries resources of the state. This permit will be issued only if the immediate source of the importation is certified negative for Viral Hemorrhagic Septicemia, Infectious Pancreatic Necrosis, Infectious Hematopoietic Necrosis, *Myxobolus cerebralis*, or other diseases which may threaten fish stocks within the state. Certification will only be accepted from federal, state or industry personnel approved by the department and only in accordance with provisions on the permit application form. Fish, eggs and gametes imported under this permit are subject to inspection by authorized agents of the department and this inspection may include removal of reasonable samples of fish or eggs for biological examination.

*(The form to apply for the fish importation permit is not reproduced in this Code, but is available upon request from the Conservation Department and is on the State of Missouri's website. See page 194)*

### 3 CSR 10-9.220 Wildlife Confinement Standards

- (1) Cages, pens or other enclosures for confining wild animals shall be well braced, securely fastened to the floor or ground, covered with a top as required and constructed with material of sufficient strength to prevent escape. Animals must be confined at all times in cages, pens or enclosures except in lead or drag races or birds held under a falconry permit. Except for unweaned young, Class II wildlife and bobcat, American badger,

coyote, red fox and gray fox may not roam freely anywhere within a residence or inhabited dwelling. The following requirements shall be met:

(A) Clean drinking water shall be available in adequate amounts at all times. Semiaquatic animals, such as beaver and muskrat, shall be provided a pool of sufficient water depth for the animals to completely submerge.

(B) A shelter shall be provided for security and protection from inclement weather. Shade or an overhead structure shall be provided in warm seasons.

(C) Captive wildlife shall be fed daily or as required with a diet appropriate to the species and the age, size and condition of the animal. Feeding containers shall be kept clean and uneaten food removed within a reasonable time.

(D) Animal wastes shall be removed daily and disposed of properly. If bedding is provided, it shall be cleaned out and replaced every two (2) weeks.

(2) Cages, pens or other enclosures for Class I wildlife shall meet the following standards:

Species	Enclosure Space (sq. ft.)	Space Per Each Additional Animal (sq. ft.)	Enclosure Height (ft.)
(A) American Badger	30	6	4
(B) Beaver	40	8	5
(C) Bobcat	32	8	6
(D) Coyote	80	25	6

Species	Enclosure Space (sq. ft.)	Space Per Each Additional Animal (sq. ft.)	Enclosure Height (ft.)
(E) E. Cottontail Rabbit	15	3	3
(F) Fox Squirrel	9	3	4
(G) Gray Fox	40	8	5
(H) Gray Squirrel	9	3	4
(I) Mink	9	3	2
(J) Muskrat	12	5	3
(K) Nine-banded Armadillo	12	4	2
(L) Otter	36	6	4
(M) Raccoon	24	6	5
(N) Red Fox	40	8	5
(O) Virginia Opossum	12	3	3
(P) Weasel	9	3	2
(Q) White-tailed Deer	500	125	8
(R) Woodchuck	12	3	5

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(3) Cages, pens or other enclosures for confining Class II wildlife shall be constructed to prevent direct physical contact with the public. At a minimum, this may be accomplished by a secondary barrier of wire mesh no smaller than eleven and one-half (11 1/2) gauge with openings of no more than nine (9) square inches, with a minimum distance of three feet (3') between animal cage and public and a minimum height of six feet (6'). Doors shall remain locked at all times with appropriate



locks and chains. Enclosures shall be constructed with a den, nest box or connected housing unit that can be closed off and locked with the animal inside, or be a divided cage with a door between the compartments, to allow servicing and cleaning. The enclosure mesh size or spacing of bars shall be sufficient to prevent escape. A barrier system of wet or dry moats or structures, as approved by the American Association of Zoological Parks and Aquariums, will meet these requirements.

(A) Class II wildlife shall be confined in cages, pens, enclosures or in buildings of sufficient strength with restraints affixed to all windows, doors or other means of entry or exit.

(B) Cages, pens or other enclosures for Class II wildlife shall meet the standards outlined in Appendix A of this rule, which is included herein.

(See page 107 for Appendix A.)

(4) Care of captive turtles shall meet requirements set out in section (1). At least ten (10) gallons of water shall be provided for each adult aquatic turtle over four inches (4") in shell length, and three (3) gallons of water shall be provided for each hatching or turtle under four inches (4") in shell length. At least four (4) square feet of ground space shall be provided for each box turtle over three inches (3") in shell length and one (1) square foot of ground space shall be provided for each hatching or turtle under three inches (3") in shell length.

(5) Mobile temporary exhibit and wildlife auction/sale facilities may be used to confine wildlife for no more

<b>Appendix A: Cage, Pen or Other Enclosure Standards for Class II Wildlife</b>				
<b>Species</b>	<b>Enclosure Space (sq. ft.)</b>	<b>Space Per Each Additional Animal</b>	<b>Enclosure Height (feet)</b>	<b>Cage Material</b>
Black Bear or hybrids	150	50% larger	8 (w/top) or 10 (w/o top—12 after 3/03)	Not smaller than 9 gauge steel chain link; top required for 8-foot enclosure; 3-foot lean-in on top of fence acceptable for 10-foot enclosure. For enclosures constructed after 3-1-03, height (without top) must be 12 feet with 3-foot lean-in on top; two strands of hot wire (8000-10000 volt) on fence, one strand on lean-in, one strand along bottom or middle of fence; 4-inch concrete floor or non-rust 9 gauge chain link buried 2 feet and angled underground toward enclosure interior; for pens anchored flush with ground, 3-foot interior dig-out panel required at ground surface.
Mountain Lion or hybrids	200	50% larger	8	Not smaller than 11 gauge steel chain link; top required.
Wolf or hybrids	200	50% larger	6	Not smaller than 9 gauge steel chain link; 4-inch concrete floor or non-rust 9 gauge chain link buried 2 feet and angled underground toward enclosure interior; for pens anchored flush with ground, 3-foot interior dig-out panel required at ground surface; top required, except 8-foot fence with 3-foot lean-in acceptable for wolves.
Venomous Snakes	(Perimeter must be 1 1/2 times length of longest snake)	25% larger		When on public display outside approved confinement facility, any side of exhibit cage exposed to the public shall have a double glass or escape-proof double mesh barrier designed to prevent contact between venomous reptile and the public.

than fourteen (14) days and shall meet the following criteria:

(A) Facilities shall be of sufficient size to ensure that each animal or compatible groups of animals can stand erect, turn about freely and lie naturally. Facilities shall be designed to provide fresh air, be free from injurious drafts and engine exhaust fumes, and provide adequate protection for the elements. The structural strength of the facilities shall be sufficient to contain the wildlife and to withstand the normal rigors of transportation.

(B) Class I wildlife facilities shall contain doors that are locked when unattended, but easily accessible at all times for emergency removal of the wildlife.

(C) Facilities for Class II wildlife and bobcat, American badger, coyote, red fox and gray fox shall be designed to prevent direct physical contact by the public and constructed of steel or case hardened aluminum. Facilities must have at least two (2) openings which are easily accessible at all times for emergency removal of the wildlife. Doors shall be locked at all times.

(D) Venomous reptiles shall only be transported in a strong escape-proof enclosure capable of withstanding a strong impact. Enclosures shall be locked and prominently labeled with the owner's full name, address, telephone number, list of species being transported, and a sign labeled VENOMOUS.

(6) Other wildlife native to Missouri not listed in sec-

tions (2) and (3) and in rule 3 CSR 10-9.110, and birds native to the continental United States, shall be cared for and confined in facilities that provide comparable requirements for similar size animals as listed in this rule.

(7) Requirements of this rule shall not apply to wildlife under the care of a veterinarian or rehabilitation center, or to animals legally held in circuses, publicly-owned zoos, bona fide research facilities or on fur farms whose sole purposes are to sell pelts or live animals to other fur farms and whose facilities meet generally accepted fur farming industry standards and adhere to provisions of sections (1), (3), and (5) of this rule. Variations from requirements of this rule shall be only as specifically authorized by the director.

### **3 CSR 10-9.230 Class I Wildlife**

Class I wildlife shall include bullfrogs and green frogs and birds (including ring-necked pheasants and gray partridge) native to the continental United States, and those species of mammals (except bison and those listed in 3 CSR 10-9.240) and nonvenomous reptiles and amphibians native to Missouri. Elk defined as livestock pursuant to the Revised Statutes of Missouri section 277.020 that are held separate so as to prevent comingling with mule deer and white-tailed deer are exempt from permit requirements.

### **3 CSR 10-9.240 Class II Wildlife**

Class II wildlife shall include copperhead snakes, cottonmouth snakes, timber rattlesnakes, pygmy rattlesnakes,

massasauga rattlesnakes, mountain lions or mountain lion-hybrids, wolves or wolf-hybrids and black bears or black bear-hybrids.

### **3 CSR 10-9.350 Class I Wildlife Breeder Permit**

To exercise the privileges of a Class I wildlife breeder. Fee: fifty dollars (\$50).

### **3 CSR 10-9.351 Class II Wildlife Breeder Permit**

To exercise the privileges of a Class I and Class II wildlife breeder. Fee: two hundred fifty dollars (\$250).

### **3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders**

(1) Class I and Class II wildlife as defined in 3 CSR 10-9.230 and 3 CSR 10-9.240, may be exhibited, propagated, reared or held in captivity by the holder of the appropriate Class I or Class II wildlife breeder permit at a specific location indicated on the permit. Applicants for a Class II permit must qualify by passing with a score of at least eighty percent (80 %) a written examination provided by the department.

(2) A permit may be granted after satisfactory evidence by the applicant that stock will be secured from a legal source other than the wild stock of this state and as provided in section (3) of this rule; that the applicant will confine the wildlife in humane and sanitary facilities that meet standards specified in 3 CSR 10-9.220; and that the applicant will prevent other wildlife of the state from becoming a part of the enterprise.

(3) All elk, elk-hybrids, mule deer, and white-tailed deer, defined as Class I wildlife in 3 CSR 10-9.230, introduced into a Class I wildlife breeder operation shall meet the following requirements:

(A) Animals shall be tagged or marked in a method allowing individual animal identification.

(B) Animals imported into Missouri must come from a herd that is enrolled and has achieved a status three (3) or higher in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—three (3) years of surveillance, advancement, and successful completion of program requirement.

(C) Animals from within Missouri must come from a herd comprised of animals enrolled in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program.

(4) Effective January 1 of each year, one-hundred percent of all elk, elk-hybrids, mule deer, and white-tailed deer, defined as Class I wildlife in 3 CSR 10-9.230, over twelve (12) months of age that die of any cause within a Class I wildlife breeder operation, shall be tested for chronic wasting disease at a federally approved laboratory, up to an annual total of ten (10) animals in the aggregate, except:

(A) Class I wildlife breeder operations that have not introduced, during the past three (3) years, any elk, elk-hybrids, mule deer or white-tailed deer from a

herd having a status less than three (3) as documented through a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—three (3) years of surveillance, advancement, and successful completion of program requirements.

(B) Elk, elk-hybrids, mule deer, and white-tailed deer documented through Missouri's Chronic Disease Monitoring Program as status five (5) herds—five (5) years of surveillance, advancement, and successful completion of program requirements.

(5) All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.

(6) The wildlife may be used, sold, given away, transported or shipped; provided, that state- and federally-designated endangered species may not be sold without the written approval of the director; that skunks may not be imported, bought, sold, transported, given away or otherwise disposed of; that live raccoons, foxes and coyotes may not be imported; and that wildlife may be sold or given away only to the holder of the appropriate permit, where required, except as provided in section (10) of this rule.

(7) Cities, towns and counties may establish ordinances further restricting or prohibiting ownership of Class II

wildlife, with approval of the department. In instances where prohibitions apply, no permit will be issued by the department. Persons possessing Class II wildlife must comply with all requirements of section 578.023, RSMo.

(8) No Class I or Class II wildlife breeder permit is required for wildlife legally held by circuses, publicly-owned zoos or *bona fide* research facilities; however, those wildlife may not be held for personal use. Physical contact between humans and Class I and Class II wildlife in circuses must be restricted to the handlers, performers or other circus employees.

(9) Any sale, shipment or gift of wildlife by a Class I or Class II wildlife breeder shall be accompanied by a written statement giving his/her permit number and showing the number of each species and the name and address of the recipient. No wildlife of any kind may be liberated unless specific permission has been granted on written application to the conservation agent in the district where the release is to be made.

(10) Wildlife, except skunks, foxes, coyotes and raccoons may be shipped, transported or consigned to a wildlife breeder by nonresidents without a Missouri wildlife breeder permit, but that wildlife shall be accompanied by appropriate permit or other proof of legality in the state of origin. Persons purchasing wildlife at consignment sales shall obtain a wildlife hobby or appropriate wildlife breeder permit prior to the purchase, except nonresidents may possess and transport purchased wildlife without permit for forty-

eight (48) hours following close of the sale.

(11) Notification of the date and place of any public sale of consigned wildlife shall be provided the conservation agent of the county in which the sale will be held not less than thirty (30) days prior to the sale.

(12) The holder of a Class I or Class II wildlife breeder permit may exhibit wildlife at locations other than those listed on the permit.

(13) None of these privileges shall extend to permitting the act of hunting for such stock except that big game mammals may be shot for purposes of herd management by the permit holder or his/her agents, but only by written authorization of the director.

(14) No state permit shall be required of individuals holding migratory waterfowl under valid federal authorization.

(15) No state permit shall be required for the propagation, sale or display of birds of prey by persons holding a valid federal permit; provided, that these birds may be used to take or attempt to take wildlife only by persons holding a valid falconry permit.

(16) The holder of a Class II wildlife breeder permit shall report escaped animals immediately to an agent of the department.

(17) The holder of a Class I wildlife breeder permit may sell legally-acquired dressed or processed quail, pheasants, partridges and game birds eggs at retail and to commercial establishments under provisions of 3 CSR 10-10.743, provided all sales are accompanied by a

valid invoice and the required records are maintained by the wildlife breeder.

(18) Animal health standards and movement activities shall comply with all state and federal regulations.

### **3 CSR 10-9.359 Class I and Class II Wildlife Breeder: Records Required**

Each Class I and Class II wildlife breeder shall maintain a current record, by date, of all transactions showing the place of origin and the numbers and species of wildlife which were possessed, propagated, bought, sold, transported, shipped, given away or used, on forms provided by the department. These records and applicable state and federal animal health records and permits for each animal shall be maintained on the premises of the wildlife breeder and shall be subject to inspection by an authorized agent of the department at any reasonable time.

### **3 CSR 10-9.415 Wildlife Rehabilitation Permit**

(1) A permit to take, possess, transport and hold in captivity for rehabilitation, sick or injured wildlife of Missouri origin. Wildlife may not be propagated, sold, exhibited, given away, held more than one hundred twenty (120) days, released or otherwise disposed of except as authorized by an agent of the department. This permit may be issued only to individuals or organizations qualified to rehabilitate wildlife through graduation from a school of veterinary medicine or other substantive training and experience in wildlife rehabilitation.

(2) Species authorized to be held are limited to those

specified on the permit. Any traps, nets or other devices used to take sick or injured wildlife under this permit shall be attended daily, or be constantly attended if so stated on the permit, and labeled with the permit holder's full name and address. The names and addresses of persons assisting under the direct supervision of the holder of the permit shall be submitted to the local conservation agent in writing before assistance can be rendered. This permit does not relieve the holder of full compliance with other provisions of the Code or other state and federal requirements. The wildlife rehabilitation permit is not valid until signed.

(3) Animals held for rehabilitation must remain at the location specified on the permit or a veterinarian's premises except as otherwise authorized in writing by the director. The permit holder will confine the wildlife for public safety in a humane and sanitary condition acceptable to the Department of Conservation.

(4) Each permit holder shall maintain a current record, on forms furnished by the department, of each animal received, rehabilitated, destroyed or released. These records shall be available for inspection by an authorized agent of the commission at any reasonable time.

### **3 CSR 10-9.420 Wildlife Hobby Permit**

(1) A wildlife hobby permit authorizes the holder to purchase, possess and propagate not more than fifty (50) ring-necked pheasants and bobwhite quail, in the aggregate, for personal use only and not for sale; and to hold

in captivity not more than one (1) game mammal purchased from a Missouri wildlife breeder permit holder, except that Class II wildlife, hooved mammals and skunks may not be held under this permit. Game mammals may be held in captivity but may not be propagated or sold. This permit shall be obtained prior to receipt of wildlife. The permittee must furnish proof that game mammals and birds were legally obtained. Wildlife must be confined in humane and sanitary facilities that meet standards specified in 3 CSR 10-9.220. Wildlife may be disposed of only in accordance with instructions of an agent of the department but may not be released, sold or given away. The permittee is subject to all provisions of section 578.023, RSMo.

(2) Banded birds possessed under this permit may be temporarily released and recaptured when training dogs. Any device used to recapture birds in accordance with this provision must be labeled with the user's full name, address and wildlife hobby permit number and be attended daily. Fee: ten dollars (\$10).

### **3 CSR 10-9.425 Wildlife Collector's Permit**

(1) A permit to collect, possess, mount or preserve wildlife for scientific related purposes:

(A) Wildlife Collector's Permit for Scientific Purposes. Wildlife collector's permits may be granted to an authorized representative of a university, college, school, incorporated city, state or federal agency, publicly-owned zoo, or wildlife or research organization or other qualified individual;

provided, that the collection shall be used exclusively for scientific, educational or museum purposes. Fee: five dollars (\$5).

(B) Wildlife Collector Permit for Special Collections of Wildlife. Wildlife collector's permits may be issued to professionally qualified individuals who charge a fee for biological studies for specific projects where the potential results are of sufficient public value and interest to justify special collection of wildlife. Fee: fifty dollars (\$50).

(2) General Requirements for Permit Holders. Species and numbers of each to be collected and collecting methods are limited to those specified on the permit. Advance notification shall be given the conservation agent or regional supervisor in the county or area as to where and when the collecting will be done. The permit holder's name, address and wildlife collector's permit number shall be on all trapping and netting devices. The traps, nets or other devices used under this permit shall be attended at least daily, or be constantly attended if so stated on the permit. The collected specimens shall be donated to a museum or educational institution or disposed of in accordance with instructions of the director. Wildlife held under a wildlife collector's permit may be propagated but shall not be sold or exhibited commercially. When holding live specimens, permit holders are required to adhere to wildlife confinement standards set forth in 3 CSR 10-9.220. The names and addresses of persons collecting under the direct supervision of the holder of the permit shall

accompany the application for the permit. Field collection must be conducted under the in-person supervision of the permit holder. This permit does not relieve the holder of full compliance with other provisions of the Code or other state and federal requirements.

(3) The wildlife collector's permit is not valid until signed by the permit holder. The permit is valid for one (1) year from January 1. The permit holder shall submit a wildlife collector's permit report to the department within thirty (30) days of the permit's expiration date. Issuance of permits for the following year shall be conditioned on compliance with Wildlife Code rules and regulations, specified conditions of the permit and receipt of a satisfactory wildlife collector's permit report. Department volunteers, working on authorized wildlife collection projects, are exempt from the requirements of this section.

### **3 CSR 10-9.430 Bird Banding**

Birds may be livetrapped for banding and released by persons holding a valid federal permit.

### **3 CSR 10-9.440 Resident Falconry Permit**

To take, and possess alive, birds of prey and to use birds of prey to take other wildlife. Fee: sixty dollars (\$60). This permit shall remain valid for three (3) years from date of issuance.

### **3 CSR 10-9.442 Falconry**

Birds of prey may be taken, transported, possessed or used to take wildlife only by holders of a falconry per-

mit, to be issued only to residents qualified by passing with a score of at least 80 percent (80%) a written examination meeting federal standards and whose facilities and equipment meet requirements specified in this rule. The barter, sale, purchase, importation or exportation of raptors without a permit is prohibited.

*(Detailed rules concerning the use of raptors in falconry are not reproduced in this Code, but are available upon request from the Conservation Department and are on the State of Missouri's website. See page 194.)*

### 3 CSR 10-9.560 Licensed Hunting Preserve Permit

(1) To maintain and operate a licensed hunting preserve and to propagate, hold in captivity, and sell legally acquired pheasants, exotic partridges, quail and ungulates (hoofed animals).

(2) Any person applying to establish a licensed hunting preserve shall complete an application involving on-site inspection of the area prior to and following construction activities by an agent of the department to determine that all provisions of this rule and 3 CSR 10-9.565 are met before a permit is issued. Fees:

- (A) Game Bird  
Hunting Preserve      \$100 valid for one (1) year
- (B) Big Game  
Hunting Preserve      \$750 valid for three (3) years.

### 3 CSR 10-9.565 Licensed Hunting Preserve: Privileges

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time.

Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may release on his/her licensed hunting preserve legally acquired pheasants, exotic partridges, quail and ungulates (hoofed animals) for shooting throughout the year, under the following conditions:

#### (A) Game Bird Hunting Preserve.

1. The game bird hunting preserve shall be a single body of land not less than one hundred sixty (160) acres and no more than six hundred forty (640) acres in size. Game bird hunting preserves may be dissected by public roads, and shall be posted with signs specified by the department. Hunting preserve permits will not be issued for areas:

A. Within five (5) miles of any area where there is an ongoing department game bird release program or where the most recent release of department game birds has been made less than five (5) years prior to receipt of the application.

B. In any location where those activities are considered by the department as likely to further jeopardize any species currently designated by Missouri or federal regulations as threatened or endangered wildlife.

2. Any person taking or hunting game birds on a hunting preserve shall have in his/her possession



a valid small game hunting permit or licensed hunting preserve permit, except that persons fifteen (15) years of age or younger, when accompanied by a properly licensed adult hunter, and residents sixty-five (65) years of age and older, may hunt without permit. Licensed hunting preserve hunting permits may be issued to persons without requiring display of a hunter education certificate card for use on game bird hunting preserves; provided s/he is hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card.

3. Game birds taken on a hunting preserve may be possessed and transported from the preserve only when accompanied by a receipt listing the date, number and species taken, and name of the hunting preserve; or when accompanied by an approved transportation sticker for each game bird taken. Transportation stickers must be purchased from the department by the hunting preserve permittee. Game birds may be taken in any numbers on these preserves.

4. The permittee must release during the shooting season at least one (1) game bird per acre of hunting preserve, with at least one-half (1/2) of the birds to be bobwhite quail, if quail are to be hunted outside the statewide season. All birds shall be from a source approved by the department.

5. Any propagation facilities contained within or

adjacent to the game bird hunting preserve shall meet standards specified in 3 CSR 10-9.220. Breeding enclosures not contained within or adjacent to the hunting preserve are not covered under the privileges of this rule.

(B) Big Game Hunting Preserve.

1. The big game hunting preserve for ungulates shall be a fenced single body of land, not dissected by public roads, and not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size. The hunting preserve shall be fenced so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence height shall meet standards specified in 3 CSR 10-9.220.

2. All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a big game hunting preserve shall meet the following requirements:

A. Animals shall be tagged or marked in a method allowing individual animal identification.

B. Animals imported into Missouri must come from a herd that is enrolled and has achieved a status three (3) or higher in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitor-

ing program—three (3) years of surveillance, advancement, and successful completion of program requirements.

C. Animals from within Missouri must come from a herd comprised of animals enrolled in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program.

3. Effective January 1 of each year, one hundred percent (100 %) of all elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause within a big game hunting preserve operation, shall be tested for chronic wasting disease at a federally approved laboratory, up to an annual total of ten (10) animals in the aggregate, except:

A. Big game hunting preserve operations that have not introduced, during the past three (3) years, any elk, elk-hybrids, mule deer or white-tailed deer from a herd having a status less than three (3) as documented through a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—three (3) years of surveillance, advancement, and successful completion of program requirements.

B. Elk, elk-hybrids, mule deer, and white-tailed deer documented through Missouri's Chronic Wasting Disease Monitoring Program as status five (5) herds—five (5) years of surveillance,

advancement, and successful completion of program requirements.

4. All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.

5. The permittee may exercise privileges provided in 3CSR 10-9.353 only for species held within breeding enclosure(s) contained within or directly adjacent to the big game hunting preserve. Any such breeding enclosure(s) shall meet standards specified in 3 CSR 10-9.220. Breeding enclosures may be separated from the hunting preserve by a public road, but must be directly adjacent. Other breeding enclosures not contained within or directly adjacent to the hunting preserve are not covered under the privileges of this rule.

6. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each ungulate taken on the hunting preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars (\$10) per one hundred (100) seals. Any pack-

aged or processed meat shall be labeled with the licensed hunting preserve permit number.

7. Animal health standards and movement activities shall comply with all state and federal regulations.

### **3 CSR 10-9.566 Licensed Hunting Preserve: Records Required**

(1) Big game hunting preserve permittees shall keep a current record, by date, of the number of each species held, acquired, propagated, sold, released, the number of each species taken on the preserve and the full name, address, and permit number (if applicable) of each buyer, seller, shooter and/or taker, on forms provided by the department.

(2) Game bird hunting preserve permittees shall keep an accurate permanent record of the number of each species acquired, propagated, sold, released, the number of each species taken and the full name and address of the taker.

(3) These records and applicable state and federal animal health records and permits for each animal shall be maintained on the premises of the licensed hunting preserve and shall be subject to inspection by an authorized agent of the department at any reasonable time.

### **3 CSR 10-9.570 Hound Running Area Operator and Dealer Permit**

To maintain and operate a hound running area and to purchase, transport, propagate, hold in captivity and sell to or

release into a permitted hound running area legally acquired foxes and coyotes. Fee: fifty dollars (\$50).

### **3 CSR 10-9.575 Hound Running Area: Privileges, Requirements**

(1) A permit may be granted after satisfactory evidence by the applicant that his/her stock is from a legal source and that the foxes and coyotes will be confined in humane and sanitary facilities that meet standards specified in 3 CSR 10-9.220. All stock acquired must be from legal sources within the state.

(2) A hound running area shall be a single body of land as specified on the permit, fenced to enclosed and contain all released foxes and coyotes and to exclude all others, and posted with signs provided by the department. A minimum of one (1) dog-proof escape area (culvert, brush pile, fenced refuge or other suitable structure) shall be provided per each twenty-five (25) acres, and be available for use by foxes and coyotes any time dogs are present on the area. Escape areas shall not be located immediately adjacent to each other.

(3) The holder of a Hound Running Area Operator and Dealer Permit may obtain live foxes and coyotes from a holder of a valid trapping permit as prescribed in 3 CSR 10-8.515(7). Permittees may also purchase foxes and coyotes from a holder of a Class I Wildlife Breeder Permit or a holder of a Hound Running Area Operator and Dealer Permit. These foxes and coyotes may only be released into a permitted hound running area and must be individually marked with ear tags provided by

the department for which the permittee shall pay fifty cents (50¢) per tag. These animals may not be given away, released to the wild or exported, except with written authorization of the director.

(4) Foxes and coyotes in a hound running area may be chased with dogs, but not with the intent to capture or kill.

(5) Prior to being chased, all newly-acquired foxes and coyotes shall be provided a minimum of seven (7) days to acclimate to the area. Wildlife held under this permit are subject to inspection by an agent of the department and this inspection may include removal of reasonable samples for biological examination.

(6) Any person releasing dogs on a hound running area shall have in his/her possession a valid small game hunting permit.

(7) The hound running area operator/dealer shall keep an accurate permanent record on forms provided by the department of the supplier's full name and address and number of each species held, captured, purchased, sold, propagated, released on the area or otherwise disposed of. Ear tag numbers must also be recorded for each animal released into the area. These records are subject to inspection by an agent of the department at any reasonable time.

### 3 CSR 10-9.625 Field Trial Permit

(1) To conduct a field trial on lands other than those owned or leased by the department, application for a permit must be made to the department by a resident,

and postmarked not less than ten (10) days prior to the trial. The application shall specify location of trial headquarters in Missouri, area where the trial will be held, type of wildlife to be chased or pursued, approximate number of hunters, approximate number of dogs and starting and closing dates, extending through a period of not more than ten (10) consecutive days for any single trial permit. Fee: twenty dollars (\$20).

(2) Each permit holder shall record the names and addresses of all participants for each trial held, and shall maintain these records for one (1) year following the closing date of the trial. These records shall be subject to inspection by an authorized agent of the department at any reasonable time.

(3) Future permits shall be conditioned on compliance with this rule. Receipt by the department of unresolved and repeated complaints from area landowners concerning operation of the field trial may result in permit denial.

(4) A field trial permit does not authorize trespass.

(5) Except as otherwise provided in this rule, permits will not be valid for hound field trials during or five (5) days prior to the spring turkey or firearms deer hunting seasons except on established field trial areas. Permits for raccoon field trials will be valid during nighttime hours and provide for casting no more than four (4) dogs at one time during or five (5) days prior to the spring turkey hunting season. In field trials under permit, wildlife not prohibited in 3 CSR 10-7.410 may be

chased by dogs under control but may be pursued and taken only during the open seasons and only by persons possessing a valid hunting permit, except as provided in section (6) of this rule. The sponsoring organization shall issue identification bearing the field trial permit number to all persons without a valid hunting permit who enter dogs in a trial; provided, that this identification shall not be required for trials held entirely on one (1) contiguous tract of land where an agent of the department is provided with a complete list of the names and addresses of all participants before the trial.

(6) Designated gunners, under the field trial permit, may shoot only quail, pheasants, chukars and mallard ducks legally obtained. Quail, pheasants and chukars shall be marked with a permanent avian leg band prior to release. Mallard ducks shall be marked with a permanent avian leg band, removal of the hind toe from the right foot, or tattooing of a readily discernible number or letter or combination on the web of one foot.

(7) The permit holder may purchase quail and pheasants no more than ten (10) days prior to a trial and hold them no longer than ten (10) days after a trial.

*(Deer, turkey, mink, muskrat, beaver and river otter may not be chased or pursued by dogs in field trials.)*

### 3 CSR 10-9.627 Dog Training Area Permit

To operate a dog training area, and to purchase, hold, release and shoot on the training area legally acquired pheasants, exotic partridge and quail. Fee:

twenty dollars (\$20).

### 3 CSR 10-9.628 Dog Training Area: Privileges

(1) A dog training area permit is required to operate a dog training area, and to purchase, hold, release and shoot on the training area legally acquired pheasants, exotic partridge and quail. Receipts for all game birds purchased or held must be maintained, and are subject to inspection by an authorized agent of the department at any reasonable time. Game birds held for more than twenty-four (24) hours must be confined in facilities that meet standards specified in 3 CSR 10-9.220.

(2) Dog training areas shall be a single tract of land not more than forty (40) acres in size and posted with signs, which sign is included herein, specified by the department. Multiple dog training area permits may be issued for a single tract of land.

*(The sign is not reproduced in this Code, but is available upon request from the Conservation Department and on the State of Missouri website. See page 194)*

(3) Shooting privileges shall be limited to the individual permittee and not more than two (2) training assistants, whose names shall be listed on the permit application and specified in the permit. All shooters shall possess the prescribed hunting permit.

(4) Game birds taken on a dog training area may be possessed and transported from the area only when accompanied by a receipt listing the date, number and species taken, and the dog training area permittee's name and permit number; or when accompanied by an

approved transportation sticker for each game bird taken. Transportation stickers must be purchased from the department by the dog training area permittee. Legally acquired game birds may be taken in any numbers on such areas.

### 3 CSR 10-9.640 Licensed Trout Fishing Area Permit

To maintain and operate a licensed trout fishing area, and to stock legally acquired trout. Fee: one hundred dollars (\$100).

#### 3 CSR 10-9.645 Licensed Trout Fishing Area Permit: Privileges, Requirements

- (1) A representative of the department shall inspect each proposed licensed trout fishing area to determine that it meets all requirements of this rule before a permit is issued.
- (2) Permits will not be issued for water areas where:
  - (A) The department manages trout populations that are maintained by stocking or natural reproduction.
  - (B) The release of trout is likely to jeopardize any wildlife designated as a state or federal threatened or endangered species.
  - (C) There is not year-round trout habitat.
- (3) A permittee may release legally acquired rainbow trout or brown trout for fishing and harvest throughout the year, under the following conditions:
  - (A) The immediate source of the trout to be stocked must be certified as negative for Viral Hemorrhagic

Septicemia, Infectious Pancreatic Necrosis, Infectious Hematopoietic Necrosis, *Myxobolus cerebralis* or other diseases which may threaten fish stocks within the state. Certification will only be accepted from federal, state or industry personnel approved by the department and only in accordance with provisions of the fish importation permit regulations (see 3 CSR 10-9.110(4)).

(B) The permittee shall keep an accurate record of all trout of each species released into and taken from the licensed trout fishing area. These records shall be subject to inspection by an authorized agent of the department at any reasonable time. The permittee shall provide each customer or guest with a receipt indicating the date and number of trout taken. Customers or guests must retain this receipt during transport and storage of the trout.

(4) Customers or guests may fish for and take rainbow trout and brown trout in any numbers within the licensed trout fishing area without additional permits.

**CHAPTER 10  
WILDLIFE CODE:  
COMMERCIAL PERMITS:  
SEASONS, METHODS, LIMITS**

**3 CSR 10-10.705 Commercialization**

Wildlife may be bought, sold, offered for sale, exchanged, transported or delivered only under the conditions of the prescribed permit, or as otherwise provided in this chapter. No affidavit, receipt or other document may be issued or used in lieu of the required permit. Any permit issued or obtained by false statement or through fraud, or while permits are revoked or denied by the commission, shall be invalid. Renewal of permits is conditioned on compliance with provisions of the Wildlife Code.

**3 CSR 10-10.707 Fur Dealer's Permit**

To buy, sell, possess, process, transport and ship the pelts and carcasses of furbearers from July 1 through June 30. Fee: three hundred dollars (\$300).

**3 CSR 10-10.710 Resident Fur Buyer's Permit**

To buy, sell, possess, process, transport and ship the pelts and carcasses of furbearers throughout the hunting and trapping seasons prescribed for each species of furbearer and for a period of fifteen (15) days following the close of each applicable Missouri season, and to sell, possess, transport and ship furbearers for a period of thirty (30) days following the close of each applicable

season. Permits issued to a firm, organization or partnership for individual or itinerant use shall include the names of no more than two (2) resident users. Fee: one hundred dollars (\$100).

**3 CSR 10-10.715 Fur Dealers and Fur Buyers: Reports, Requirements**

(1) Each fur buyer and fur dealer shall keep an up-to-date, accurate record of all furbearer pelts purchased, sold, consigned or stored. For each transaction, the seller's name, address and permit number shall be recorded immediately in a fur record book furnished by the department. All such records and furs shall be made available for inspection by an authorized agent of the department at any reasonable time.

(2) Each fur buyer and fur dealer shall submit annually a notarized report on forms furnished by the department. All fur dealers' and fur buyers' reports shall include all transactions in furbearer pelts for the twelve (12) months preceding April 10 of the current year and an inventory of fur held in storage. Such reports shall be submitted by April 20.

(3) Fur dealers and their employees shall conduct business only at the location in Missouri specified on the permit, with licensed fur buyers or dealers at their business locations and at established fur auction sites. Any person buying, selling, possessing or transporting pelts or carcasses of furbearers shall have the prescribed permit in his/her possession.

(4) Furbearer pelts may be shipped or transported into

Missouri without a Missouri fur buyer or fur dealer permit for consignment or sale at an established fur auction site or to the location specified on a Missouri fur dealer or fur buyer permit if the pelts are accompanied by the appropriate permit or other proof of legality in the state of origin.

(5) Issuance of a permit after the first year shall be conditioned on compliance with this rule and receipt by the department of satisfactory reports for the preceding permit period.

(6) Fur buyers and fur dealers may consign pelts or carcasses of furbearers for storage or processing at locations other than that specified on the permit provided the consignee is identified in the fur record book.

**3 CSR 10-10.720 Commercial Fishing Permit**

(1) To take and sell commercial fish in accordance with 3 CSR 10-10.725.

Resident fee: \$25

Nonresident fee: \$200

(2) In addition to this permit, each commercial fishing permittee shall tag each net, seine or group of fifty (50) hooks for juglines, trotlines, bank lines, limb lines or throwlines at the following fees:

(A) Each trammel net one hundred (100) yards or less — thirty dollars \$30

(B) Each gill net one hundred (100) yards or less — thirty dollars \$30

(C) Each seine one hundred (100) yards or less — thirty dollars \$30

(D) Each hoop net — five dollars \$5

(E) Each fifty (50) hooks or fraction thereof — five dollars \$5

(3) Equipment tags are not transferable and tagged equipment must be personally attended by the permittee to whom the tags were issued, or by another licensed commercial fisherman authorized in writing by the permittee as his/her assistant. The assistant must have on his/her person this written authorization while tending the equipment of another and may attend equipment of only one (1) other permittee on any one (1) day.

(4) Any person who holds the prescribed sport fishing permit or who is exempted from sport fishing permit requirements in 3 CSR 10-5.205 may accompany and assist a licensed commercial fisherman; provided, that a licensed commercial fisherman must be present in each boat.

**3 CSR 10-10.722 Missouri River Shovelnose Sturgeon Commercial Harvest Permit.**

Required in addition to the Commercial Fishing Permit to take shovelnose sturgeon from the Missouri River in



accordance with 3 CSR 10-10.725. This permit is available only to residents of the state. Fee: Five hundred dollars (\$500).

*(3 CSR 10-10.722 goes into effect July 1, 2004.)*

### **3 CSR 10-10.725 Commercial Fishing: Seasons, Methods**

(1) Commercial fish, and live bait for personal use, may be taken in any numbers by the holder of a commercial fishing permit from commercial waters with seines, gill nets, trammel nets, hoop nets with or without wings, trotlines, throwlines, limb lines, bank lines or jug or block lines and any number of hooks, except:

(A) On the Missouri River upstream from U.S. Highway 169 where hooks may not be used.

(B) On the Missouri River downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to its confluence with the Mississippi River, where shovelnose sturgeon twenty-four inches (24") to thirty inches (30") in length (measured from tip of snout to fork of tail) may be taken only from November 1 through May 15 and only by the holder of a Missouri River Shovelnose Sturgeon Commercial Harvest Permit.

*(3 CSR 10.725(1)(B) goes into effect July 1, 2004.)*

*(Endangered species as listed in 3 CSR 10-4.111(3), including lake sturgeon and pallid sturgeon, may not be taken or possessed, and must be returned to the water unharmed immediately after being caught.)*

(2) Trammel nets and gill nets must be attended at all times by the permittee's immediate presence on the waters where nets are set. Hoop nets may be left set and unattended for not more than forty-eight (48) hours. All other commercial fishing equipment may be left set and unattended for not more than twenty-four (24) hours.

(3) On the Missouri River upstream from U.S. Highway 169 and downstream from Carl R. Noren Access to Chamois Access or banks thereof, game fish (including channel, blue and flathead catfish, paddlefish and shovelnose sturgeon) may not be possessed or transported while fishing by commercial methods or while possessing commercial fishing gear and shall be returned to the water unharmed immediately after being caught.

*(3 CSR 10.725(3) is in effect, except that from March 1 through June 30, 2004, downstream from Carl R. Noren Access to Chamois Access, shovelnose sturgeon may be harvested, however, those more than thirty inches (30") in length (measured from tip of snout to fork of tail), must be returned to the water unharmed immediately after being caught.)*

(4) From May 16 through October 30 on the Missouri River downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to its confluence with the Mississippi River or banks thereof, game fish (including channel, blue and flathead catfish, paddlefish and shovelnose sturgeon) may not be possessed or transported while fishing by commercial methods or while possessing commercial fishing

gear and shall be returned to the water unharmed immediately after being caught.

*(3 CSR 10.725(4) is in effect, except that from March 1 through June 30, 2004, downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to the confluence with the Mississippi River shovelnose sturgeon may be harvested, however, those more than thirty inches (30") in length (measured from tip of snout to fork of tail), must be returned to the water unharmed immediately after being caught.)*

(5) From November 1 through May 15 on the Missouri River downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to its confluence with the Mississippi River or banks thereof, shovelnose sturgeon less than twenty-four inches (24") and more than thirty inches (30") in length (measured from tip of snout to fork of tail) and other game fish (including channel, blue and flathead catfish and paddlefish) may not be possessed or transported while fishing by commercial methods or while possessing commercial fishing gear and shall be returned to the water unharmed immediately after being caught.

*(3 CSR 10.725(5) is in effect, except that from March 1 through June 30, 2004, downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to the confluence with the Mississippi River, shovelnose sturgeon may be harvested, however, those more than 30 inches in length (measured from tip of snout to fork of tail) must be returned to the water unharmed immediately after being caught.)*

(6) On that part of the St. Francis River which forms the boundary between the states of Arkansas and Missouri, channel, blue and flathead catfish less than fifteen inches (15") in total length and other game fish (including paddlefish and shovelnose sturgeon) may not be possessed or transported while fishing by commercial methods or while possessing commercial fishing gear and shall be returned to the water unharmed immediately after being caught.

*(3 CSR 10.725(6) is in effect, except that from March 1 through June 30, 2004, shovelnose sturgeon may be harvested, however, those more than thirty inches (30") in length (measured from tip of snout to fork of tail) must be returned to the water unharmed immediately after being caught.)*

(7) On the Mississippi River, except in Sand Chute below the mouth of Salt River in Pike County, and also on waters which exist temporarily through overflow from the Mississippi River east of the Missouri Pacific Railroad between Cape Girardeau and Scott City and east of the Mississippi River mainline and setback levees between Commerce and the Arkansas state line, channel, blue and flathead catfish less than fifteen inches (15") in total length, paddlefish less than twenty-four inches (24") in length (measured from eye to fork of tail), shovelnose sturgeon more than thirty inches (30") in length (measured from tip of snout to fork of tail), and other game fish may not be possessed or transported while fishing by commercial methods or while possessing commercial fishing gear and shall be

returned to the water unharmed immediately after being caught.

(8) While on waters of the state and adjacent banks, the head and tail must remain attached to all fish, bowfin and shovelnose sturgeon must remain whole and intact, and the ovaries of paddlefish must remain intact and accompany the fish from which they were removed.

(9) Commercial fishing gear may not be used or set within three hundred (300) yards of any spillway, lock, dam or the mouth of any tributary stream or ditch, or in waters existing temporarily through overflow outside the banks of the specified rivers except as provided in section (1) of this rule, and may not be used to take fish underneath or through the ice. Seines, gill nets and trammel nets having a mesh smaller than two inches (2") bar measure, measured when wet, may not be used. Hoop nets and wings having a mesh smaller than one and one-half inches (1 1/2") bar measure, measured when wet, may not be used. Hooks attached to trotlines or throwlines shall be staged not less than two feet (2') apart. All gear used for commercial fishing shall be labeled with tags furnished by the department and placed as indicated on the tags. Portions of trotlines and jug or block lines, throwlines, bank lines and limb lines must have the commercial tag number under which they are being fished attached to each line. Commercial fishing gear may not be possessed on waters of the state or adjacent banks that are not open to commercial fishing, except during transportation by boat from the nearest access location to commercial

fishing waters as determined by the department.

(10) The possession of game fish while in the act of using commercial fishing gear or aboard a boat transporting fish taken by commercial fishing gear is prohibited.

(11) The possession of extracted eggs of any fish species, except as provided in section (8) of this rule, is prohibited while on waters of the state and adjacent banks.

### **3 CSR 10-10.726 Reciprocal Privileges: Commercial Fishing and Musseling; Commercial Waters**

(1) Any person possessing a valid commercial fishing license or commercial musseling permit issued by the states of Illinois, Tennessee, Arkansas, Kansas or Nebraska, or who is legally exempted from the license requirement without further permit or license, may fish or mussel as permitted by this Code in commercial waters within the boundary of Missouri and adjacent to the state where the fisherman or musseler is licensed.

(2) All other Missouri regulations shall apply to commercial fishing and commercial musseling in the Missouri portion of the Mississippi and Missouri rivers.

(3) Regulations of the state where the fisherman or musseler is licensed shall apply in the St. Francis River.

(4) Commercial fishermen or commercial musselers not licensed in Missouri may not fish or mussel in the tributaries, bayous, or backwaters of commercial waters; nor may they fish or mussel from or attach any device or equipment to land under the jurisdiction of Missouri. Fishermen or musselers who hold Illinois licenses,

when fishing or musseling in waters in which they are not licensed to fish or mussel by Missouri, shall comply with the most restrictive laws and regulations of the two (2) states.

(5) All reciprocal privileges shall be contingent upon a grant of like privileges by the appropriate neighboring state to the duly licensed commercial fishermen and commercial musselers of Missouri; provided, that reciprocal commercial fishing and commercial musseling privileges on the St. Francis River are limited to residents of Missouri.

### **3 CSR 10-10.727 Record Keeping and Reporting Required: Commercial Fishermen**

(1) Commercial fishermen shall keep a dated receipt that includes the weight and species of fish, and the weight of extracted fish eggs (raw or processed) of each species, that were sold or given away and the name, address and signature of the recipient. These receipts shall be retained for three (3) years and shall be made available for inspection by an authorized agent of the department at any reasonable time.

(2) Commercial fishermen shall submit a monthly report on a form furnished by the department, which is included herein, showing the origin (water area), weight and species of fish and fish eggs taken by him/her during the preceding month, or a negative report if none were taken. Monthly reports must be received by the department within thirty (30) days of the end of each month. Failure to submit a monthly report shall be suf-

ficient cause for the department to revoke the current year's commercial fishing permit and deny renewal of the permit for the following year.

*(The monthly report form is not reproduced in this Code, but is available upon request from the Conservation Department and on the State of Missouri website. See page 194)*

### **3 CSR 10-10.732 Tag and Release Fishing Promotion Permit**

(1) To engage in tagging and releasing fish in association with a fishing promotion, contest or other event. Fee: Two hundred fifty dollars (\$250).

(2) A tag and release fishing promotion permit authorizes the holder to tag and release one (1) fish into an impoundment of the state, in accordance with the following:

(A) Only one valid permit per impoundment may be possessed by the holder at any one time. No more than two permits shall be valid for the same impoundment at any one time.

(B) Only crappie, black bass and catfish species may be tagged.

(C) Events shall be restricted to Lake of the Ozarks, Stockton Lake, Table Rock Lake and Truman Lake. Tag and release fishing promotion permits may be further restricted for areas within five (5) miles of any portion of an impoundment with an active department fishery research project.

(D) Fish to be tagged shall be obtained from the

impoundment specified in the permit in compliance with established seasons, methods and limits.

(E) Fish shall be tagged in the presence of an agent of the department using a technique approved by the department.

(F) Contest rules shall comply with established fishing seasons, methods and limits.

(G) There shall be no fee, registration or other consideration beyond a valid Missouri fishing permit as required by the Wildlife Code to enter or participate in the event.

(H) Maximum duration of any event shall be thirty (30) days.

### 3 CSR 10-10.743 Commercial Establishments

Resident commercial establishments, when possession is accompanied by a valid invoice or bill of sale, may buy, possess, transport and sell legally purchased and plainly marked dressed or processed pheasants, exotic partridges, quail, game bird eggs, bear, deer except white-tailed and mule deer, elk, moose, caribou, wild boar, live bait and frogs and fish. Skinned furbearer carcasses may be sold at retail only.

*(Certain Department of Health and Senior Services rules also govern how furbearer carcasses might be utilized.)*

### 3 CSR 10-10.744 Commercial Deer Processing: Permit, Privileges, Requirements

(1) To commercially process and store deer. Fee: twenty-five dollars (\$25).

(2) The commercial processor shall post a notice and inform patrons of the provisions of this rule, and shall keep accurate records of all deer processed and stored. These records shall be retained for twelve (12) months. Future permits shall be conditioned on compliance with this rule. All records and stored deer shall be made available for inspection by an authorized agent of the department at any reasonable time.

(3) For the purposes of processing specialty deer meats, commercial processors are exempt from provisions of 3 CSR 10-4.137. For purposes of storing specialty deer meats, commercial processors are exempt from provisions of 3 CSR 10-4.137 and 3 CSR 10-4.140(2), but only from October 1 through March 31. These exemptions do not apply to raw, packaged venison.

### 3 CSR 10-10.767 Taxidermy; Tanning: Permit, Privileges, Requirements

(1) To engage in the business of wildlife taxidermy or tanning. Fee: thirty dollars (\$30).

(2) Wildlife legally possessed may be shipped or delivered to a licensed taxidermist or tanner and may be mounted or preserved by him/her.

(3) Legally taken and possessed furbearers may be purchased by licensed taxidermists or tanners only for mounting or tanning, and only mounted or tanned specimens may be sold.

(4) All licensed taxidermists and tanners shall keep accurate, up-to-date records of the number and species of all wildlife received, the full name and address of the

consignor (or seller of furbearers) and the dates of all transactions and disposition of all wildlife on a form approved or provided by the department. These records and wildlife shall be available for inspection by an authorized agent of the department at any reasonable time. All completed records required by this rule shall be retained for three (3) years. Renewal of a permit shall be conditioned upon compliance with this rule.

(5) Pelts held under this permit after possession season for pelts shall not enter the raw fur market. All wildlife held by a licensed taxidermist or tanner shall be identifiable to the consignor. Unused parts of wildlife may be disposed of or sold by licensed taxidermists or tanners, but not for human consumption. Federal regulations apply to the mounting of migratory birds and endangered species.

### **3 CSR 10-10.768 Sales and Possession of Wildlife Parts and Mounted Specimens**

(1) Subject to federal regulations, legally obtained feathers, squirrel pelts, rabbit pelts, groundhog pelts, turkey bones, turkey heads and deer heads, antlers, hides or feet may be bought, sold or bartered when accompanied by a bill of sale showing the seller's full name, address and the number and species of these parts, and the full name and address of the purchaser. Legally taken wildlife and wildlife parts, after mounting or tanning, may be bought and sold.

(2) The recipient or purchaser of deer heads and/or antlers attached to the skull plate must retain a dated

bill of sale identifying the seller while the heads or antlers are in his/her possession.

(3) Any person who finds a dead deer with antlers still attached to the skull plate while afield and takes those antlers into possession must report the taking to a conservation agent within twenty-four (24) hours to receive possession authorization. Shed antlers not attached to the skull plate found while afield may be possessed, bought and sold by any person without possession authorization.

### **3 CSR 10-10.771 Commercial Permits: How Obtained, Replacements**

Commercial permits and replacements for them may be issued only through the department office in Jefferson City upon receipt of proper application and the required permit fee. A service fee of three dollars (\$3) is required for a replacement commercial permit.

### **3 CSR 10-10.780 Commercial Musseling Permit**

To take, possess and sell mussels, in accordance with 3 CSR 10-10.782.

Resident fee:	\$150
Nonresident fee	\$1,000

### **3 CSR 10-10.781 Commercial Musseling Helper Permit**

To assist commercial musseling permittees in the take, possession and sale of mussels, in accordance with 3 CSR 10-10.782.

Resident fee:	\$50
Nonresident fee:	\$150

### 3 CSR 10-10.782 Commercial Musseling: Seasons, Methods

(1) Mussels may be taken for commercial purposes from sunrise to sunset from April 1 through August 31, only by hand or brail. Brails must be less than twenty feet (20') in length and only three (3) brails per boat may be possessed. Mussels may not be possessed on waters open to commercial musseling during hours closed to harvest. Commercial musselers may possess mussels only from April 1 through September 15. All endangered species, regardless of size, all washboard mussels (*Megalonaias nervosa*), all three ridge mussels (*Amblema plicata*) that can pass through a ring with an inside diameter of three inches (3"), all mapleleaf mussels (*Quadrula quadrula*) that can pass through a ring with an inside diameter of two and three-fourths inches (2 3/4") and all other mussels that can pass through a ring with an inside diameter of two and one-half inches (2 1/2") must be returned unharmed immediately to the bed where taken. Mussels may be taken in any numbers by the holder of a commercial musseling permit from commercial waters. Mussels may not be taken or possessed in Pool 24 of the Mississippi River west of the navigation channel.

(2) Commercial musseling helpers must be accompanied by a commercial musseling permittee and may not take mussels by diving methods.

### 3 CSR 10-10.783 Mussel Dealer's Permit

To buy, sell, possess, transport and ship freshwater mussels.

Resident fee:	\$1,000
Nonresident fee:	\$2,500

### 3 CSR 10-10.784 Mussel Dealers: Reports, Requirements

(1) Each mussel dealer shall keep an up-to-date, accurate record of all mussels purchased, sold, consigned or stored. Transactions shall be recorded immediately on forms provided by the department. All records shall be made available for inspection by an authorized agent of the department at any reasonable time, and shall be submitted to the department no later than fifteen (15) days following the last day of each month.

(2) Mussel dealers and their employees shall conduct business only at locations in Missouri specified on the permit, or with other licensed mussel dealers at their business locations in Missouri. Any person buying, selling, possessing or transporting mussels must have the prescribed permit in his/her possession.

(3) Mussels may be shipped or transported into Missouri without a Missouri mussel dealer permit for consignment to a Missouri mussel dealer when accompanied by the appropriate permit or other proof of legality in the state of origin.

(4) All mussels possessed under provisions of section (3) of this rule must be of legal size and species open to

harvest in Missouri.

(5) Issuance of a permit after the first year shall be conditioned on compliance with this rule and receipt by the department of satisfactory reports for the preceding permit period.

### **3 CSR 10-10.787 Reports Required: Commercial Musselers**

All commercial musselers shall submit a monthly report during the mussel season on a form furnished by the department, showing the place of origin and the quantity and species of mussels taken by him/her during the preceding month, or a negative report if none were taken. Renewal of a permit for the following year shall be conditioned on receipt by the department of satisfactory monthly reports by September 15.

## **CHAPTER 11 WILDLIFE CODE: SPECIAL REGULATIONS FOR DEPARTMENT AREAS**

### **3 CSR 10-11.105 Title; Authority**

The special regulations in this chapter apply on lands and waters (referred to as department areas) owned or leased by the Department of Conservation. The director may issue temporary written exceptions to rules and provisions of this chapter for emergencies, special events and other compatible uses.

*(This is a partial presentation of Chapter 11. The complete chapter is available upon request from the Conservation Department and on the State of Missouri's website. For details on regulations at specific areas, request a brochure for that area from the Conservation Department or visit the Department's website. See page 194.)*

### **3 CSR 10-11.110 General Provisions**

(1) The following activities are allowed on department areas only where and as authorized by this chapter or by signs and area brochures or by a special use permit issued by the area manager: swimming, sailboarding, sailboating, skateboarding, boating, entry on areas closed to public use, bicycling, camping, shooting, hunting, fishing, trapping, collecting or possessing wild plants and wild animals and unprocessed parts thereof, removal of water, commercial use, vending, fires outside of designated camping areas, rock collecting, dig-



ging and other soil disturbance, field trials, horseback riding, ranging of horses and other livestock, possession of pets and hunting dogs, caving, rock climbing, rappelling, paint-balling, scuba diving, water skiing, the use and possession of vehicles and aircraft, the use of decoys, and the use or construction of blinds and tree stands.

(2) On Thomas Hill Reservoir, swimming, sailboarding, scuba diving and water skiing are permitted, except water skiing is prohibited north of Highway T on the Stinking Creek Arm of the lake and on the warm water arm of the lake upstream from the marker buoys.

(3) The destruction, defacing or removal of department property and use of fireworks are prohibited.

(4) Possession of glass food and beverage containers is prohibited within the Castor River Shut-Ins Natural Area on Amidon Memorial Conservation Area.

(5) Waste containers may be used only for disposal of garbage, trash, refuse or rubbish generated on the department area.

### **3 CSR 10-11.115 Closings**

(1) Department areas are closed to public use from 10:00 p.m. to 4:00 a.m. daily; however, hunting, fishing, trapping, dog training, camping, launching boats and landing boats are permitted at any time on areas where these activities are authorized, except as otherwise provided in this chapter. Any department area may be opened during closed hours for department sponsored events or programs. Parking or storage of

watercraft and commercial vehicles is prohibited during the closed hours.

(A) On Blind Pony Lake Conservation Area, Little Dixie Lake Conservation Area and Riverwoods Conservation Area, all public use is prohibited from 10:00 p.m. to 4:00 a.m. daily.

(B) On August A. Busch Memorial Conservation Area, all public use is prohibited from 10:00 p.m. to 6:00 a.m. daily, except for authorized hunting and fishing activities.

(C) On Columbia Bottom Conservation Area, Ronald and Maude Hartell Conservation Area and James A. Reed Memorial Wildlife Area, all public use is prohibited from 10:00 p.m. to 6:00 a.m. daily from April 1 through September 30, and from 7:00 p.m. to 6:00 a.m. daily from October 1 through March 31, except for authorized hunting and fishing activities.

(D) On Powder Valley Conservation Nature Center, all public use is prohibited from 8:00 p.m. to 6:00 a.m. daily from April 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through March 31.

(E) On Conservation Commission Headquarters and Runge Conservation Nature Center, all public use is prohibited from 9:00 p.m. to 6:00 a.m. daily from April 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through March 31.

(F) On Springfield Conservation Nature Center, all

public use is prohibited from 9:00 p.m. to 6:00 a.m. daily from March 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through February 28.

(G) On Bellefontaine Conservation Area, Rockwoods Range and Rockwoods Reservation, all public use is prohibited from one-half (1/2) hour after sunset to sunrise daily.

(2) The following department areas are closed during high waters:

(A) On Donaldson Point Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the Mississippi River water level is at or above thirty-four feet (34') on the New Madrid gauge.

(B) On Seven Island Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the Mississippi River water level is at or above forty-three feet (43') on the Cairo gauge.

(C) On Hornersville Swamp Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the water level is at or above two hundred thirty-nine feet (239') on the Hornersville gauge.

(3) The following department areas are closed to protect waterfowl:

(A) On Stockton Lake waterfowl refuge, hunting, fishing, trapping, boating and vehicles are prohibited from October 15 through the area's prescribed duck

and Canada goose seasons on all Corps of Engineers lands and waters on and adjacent to the Little Sac Arm from the Highway 123 bridge to the county road bridge crossing Little Sac River in Section 11, T32N, R24W.

(B) On the portion of Ralph and Martha Perry Memorial Conservation Area which has been designated a waterfowl refuge, hunting, fishing, trapping, boating, entry by the public and vehicles are prohibited from October 15 through the close of the waterfowl season.

### **3 CSR 10-11.120 Pets and Hunting Dogs**

(1) Pets and hunting dogs are permitted but must be on a leash or confined at all times, except as otherwise provided by signs, area brochures or this chapter.

(A) Pets and hunting dogs are prohibited on the following department areas:

1. Bellefontaine Conservation Area
2. Burr Oak Woods Conservation Area
3. Engelmann Woods Natural Area
4. Powder Valley Conservation Nature Center
5. Rockwoods Reservation
6. Runge Conservation Nature Center
7. Springfield Conservation Nature Center

(2) Hunting dogs may be used off the leash and unconfined for hunting and for training for the purposes of chasing, locating, tracking or retrieving game as

defined by the Wildlife Code, on those department areas where and when hunting and dog training are permitted.

(A) Any person training hunting dogs must have the permit required by 3 CSR 10-7.405.

(B) On Duck Creek Conservation Area, training of hunting dogs is permitted only by holders of a valid area dog training permit during dates and hours established for this activity.

### **3 CSR 10-11.125 Field Trials**

(1) Field trials are only permitted on the department areas listed below. A field trial special use permit issued by the area manager is required. Unless otherwise provided on the field trial special use permit, field trials are permitted from September 1 through the Monday closest to March 31. Field trial types and locations may be further restricted on each designated area:

- (A) Amarugia Highlands Conservation Area
- (B) August A. Busch Memorial Conservation Area
- (C) Belcher Branch Lake
- (D) Bois D'Arc Conservation Area
- (E) Bushwacker Lake Conservation Area
- (F) Donaldson Point Conservation Area
- (G) Duck Creek Conservation Area
- (H) Eagle Bluff Conservation Area
- (I) Fort Crowder Conservation Area

(J) Helton Conservation Area

(K) Maintz Conservation Area

(L) Nodaway County Community Lake

(M) Pony Express Conservation Area

(N) Poosey Conservation Area

(O) James A. Reed Memorial Wildlife Area

(P) Rocky Fork Conservation Area

(Q) Shawnee Trail Conservation Area

(R) Stockton Reservoir

(S) Robert E. Talbot Conservation Area

(T) Whetstone Creek Conservation Area

(U) White River Trace Conservation Area

(V) Wilhemina Conservation Area

(2) Field trial participants must comply with 3 CSR 10-7.410 except as otherwise provided by the special use permit.

(3) During field trials, wildlife not prohibited in 3 CSR 10-7.410 may be chased by dogs under control but may be pursued and taken only during the open seasons and only by persons possessing a valid hunting permit, except as provided in section (4) of this rule.

(4) Designated gunners, under the field trial special use permit, may shoot only quail, pheasants, chukars and mallard ducks legally obtained and marked with a permanent avian leg band prior to release.

### **3 CSR 10-11.130 Vehicles, Bicycles, Horses and Horseback Riding**

- (1) Vehicle use is restricted to graveled and paved roads and established parking areas, unless otherwise posted.
- (2) Bicycles are permitted only on trails designated for their use and on roads and trails open to vehicular traffic, unless otherwise posted. Groups of more than ten (10) people must obtain a special use permit.
- (3) Horses and horseback riding are permitted only on trails designated for their use and on roads and trails open to vehicular traffic, unless otherwise posted. Riding may be permitted on other portions of department areas, but only with a special use permit. Groups of more than ten (10) people must obtain a special use permit.

### **3CSR 10-11.135 Wild Plants, Plant Products, and Mushrooms**

- (1) Nuts, berries, fruits, edible wild greens and mushrooms may be taken only for personal consumption, unless further restricted in this chapter.
  - (A) On Conservation Commission Headquarters, Powder Valley Conservation Nature Center, Runge Conservation Nature Center and Springfield Conservation Nature Center, taking of nuts, berries, fruits, edible wild greens and mushrooms is prohibited.
  - (B) On Burr Oak Woods Conservation Area and Rockwoods Reservation, taking of nuts, berries,

fruits and edible wild greens is prohibited.

- (C) On areas designated by the Conservation Commission as Missouri Natural Areas, taking edible wild greens is prohibited.

### **3 CSR 10-11.140 Camping**

- (1) Camping is permitted only within areas designated by signs or brochures. Stays are limited to a period of fourteen (14) consecutive days in any thirty (30)-day period, with the period to commence the date the site is occupied or camping within any given department area first occurs. Personal property must be removed at the end of the fourteen (14)-day period. Total camping days on all Department of Conservation lands are limited to thirty (30) days within one (1) calendar year. Camping requests in excess of thirty (30) days within a calendar year may be granted with a special use permit. On those areas with established campsites, only two (2) camping or sleeping units are permitted in each site. Quiet hours are effective from 10:00 p.m. to 6:00 a.m. daily. Visitors who are not occupying a campsite are required to leave the campground by 10:00 p.m. Quiet hours are defined as the cessation of excessive noise from people or any mechanical device which causes disturbance to other campers. Camping fees are required at some areas. Groups of more than ten (10) people must obtain a special use permit prior to camping.

- (A) On Thomas Hill Reservoir, only one (1) camping or sleeping unit and a maximum of six (6) people

are permitted in each campsite.

### 3 CSR 10-11.145 Tree Stands

Only portable tree stands are allowed and only from September 15 through January 31. Stands must be identified with the full name and address, or Conservation Number, of the owner and be removed from the area before February 1. Use of nails or any material that would damage the tree is prohibited.

### 3 CSR 10-11.150 Target Shooting and Shooting Ranges

Target shooting is permitted only on designated public shooting ranges or by special use permit. Range use shall be in accordance with posted range rules or as directed by the range officer listed on the special use permit, and is contingent upon the right to inspect permits, firearms and ammunition by an agent of the department or certified law enforcement officer. Only paper targets attached to provided target holders may be used on unmanned target shooting ranges, except that on portions of shooting ranges restricted to shotguns with shotshells, only clay targets may be used. Use of incendiary, including tracer ammunition, armor piercing or explosive ammunition is prohibited. Fully automatic firearms are permitted only with a special use permit. Range use fees are required at some areas. Possession of alcoholic beverages is prohibited on all ranges and associated parking lots. Groups of more than ten (10) people must obtain a special use permit prior to use of a range.

### 3 CSR 10-11.155 Decoys and Blinds

(1) Decoys and blinds are permitted but must be disassembled and removed daily, except as otherwise provided in this chapter. Blinds may be constructed on-site only from willows (*Salicaceae*) and nonwoody vegetation.

(A) On those portions of Upper Mississippi Conservation Area designated as restricted waterfowl hunting areas, blind sites shall be designated and allotted through a system of registration and drawing established by the department. Blinds must be constructed within ten (10) yards of an assigned site before October 1 and meet department specifications. Waterfowl may be taken only from a designated blind except that hunters may retrieve dead birds and pursue and shoot downed cripples. This rule does not apply during the early teal season. On portions of the area designated as open, blinds may be constructed without site restrictions. Blinds or blind sites on both restricted and open portions of the area may not be locked, transferred, rented or sold. Boats shall not be left overnight at blind sites. After 6:00 a.m., unoccupied blinds may be used by the first hunter to arrive.

(B) On Thomas Hill Reservoir, waterfowl blinds may be constructed only on the Stinking Creek Arm and on the lake south of Highway T, but may not be locked, transferred, rented or sold. The builder must post his/her full name and address on the blind. After 6:00 a.m., unoccupied blinds may be used by

the first hunter to arrive. Blind sites may not be claimed by staking or other means prior to September 1. Blinds must be completely removed from the area before April 1 each year.

### **3 CSR 10-11.160 Use of Boats and Motors**

(1) Boats, including sailboats, may be used on lakes and ponds designated as open to boats, except as further restricted in this chapter. Boats may not be left unattended overnight. Houseboats, and personal watercraft as defined in section 306.010, RSMo, are prohibited. Registration and a fee are required for rental of department-owned boats. Fees must be paid prior to use.

(A) Except as provided below, only electric motors are permitted on lakes and ponds of less than seventy (70) acres. Electric motors and outboard motors are permitted on lakes of seventy (70) or more acres and on certain areas in conjunction with waterfowl hunting, except as otherwise provided in paragraph (1)(A)3. of this rule. Outboard motors in excess of ten (10) horsepower must be operated at slow, no-wake speed, except as otherwise provided in paragraph (1)(A)4. of this rule.

1. On August A. Busch Memorial Conservation Area and James A. Reed Memorial Wildlife Area, only department-owned boats may be used and only electric motors are permitted.

2. On Hunnewell Lake Conservation Area, only department-owned boats may be used.

3. On Robert G. DeLaney Lake Conservation

Area, only electric motors are permitted.

4. On Thomas Hill Reservoir, boating is prohibited on the main arm of the lake above Highway T from October 15 through January 15. No other restrictions in this section apply to this area.

5. All boating is prohibited from November 15 through February 15 on the Theodosia Arm of Bull Shoals Lake described as: All of Section 13, and south half of Section 12, T22N, R16W; all of Section 17, south half of Sections 7 and 8, and that part of Sections 19 and 20 north of Highway 160 bridge, all in T22N, R15W. No other restrictions in this section apply to this area.

6. On Bellefontaine Conservation Area, boats are prohibited.

7. Outboard motors of any size may be used on Overton Bottoms Conservation Area, but must be operated at slow, no-wake speed.

### **3 CSR 10-11.165 Bullfrogs and Green Frogs**

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, gig, longbow, snagging, snaring, grabbing or pole and line, only on waters and within dates and hours those waters are open to fishing, except as further restricted in this chapter. Firearms may not be used to take bullfrogs and green frogs.

(A) On Louis H. Bangert Memorial Wildlife Area, Bellefontaine Conservation Area and August A. Busch Memorial Conservation Area, longbows are

prohibited for taking frogs.

### **3 CSR 10-11.180 Hunting, General Provisions and Seasons**

(1) Hunting is permitted on department areas, except as further restricted by signs, area brochures or this chapter. Unless otherwise provided in this chapter, statewide permits, seasons, methods and limits apply.

(2) Hunting may be further restricted on designated portions of department areas which include, but are not limited to, refuges, wildlife sanctuaries, shooting ranges, residences, work areas, campgrounds and other public use or service areas.

(3) Hunting is prohibited on public fishing access areas less than forty (40) acres in size.

*(This is a partial presentation of 3 CSR 10-11.180.) \**

### **3 CSR 10-11.182 Deer Hunting**

(1) Deer may be hunted only during the statewide archery season and the muzzleloader portion of the firearms season on the department areas listed below. Statewide methods and limits apply.

*(This is a partial presentation of 3 CSR 10-11.182.)\**

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*\* The complete rule, listing further exceptions and restrictions at specific areas, is available upon request from the Conservation Department and on the State of Missouri's website. See page 194.*

### **3 CSR 10-11.183 Managed Deer Hunts**

(1) Deer may be hunted only during managed hunts on the department areas listed below. Participants of managed hunts must possess a Managed Deer Hunting Permit.

*(This is a partial presentation of 3 CSR 10-11.183.) \**

### **3 CSR 10-11.186 Waterfowl Hunting**

(1) Waterfowl hunting is permitted on department areas except as further restricted in this chapter. Statewide permits, seasons, methods and limits apply unless otherwise provided in this chapter.

*(This is a partial presentation of 3 CSR 10-11.186.) \**

### **3 CSR 10-11.187 Trapping**

Trapping on department areas is allowed only with a special use permit issued by the area manager. Trappers must comply with Chapter 8 of the Wildlife Code.

### **3 CSR 10-11.200 Fishing, General Provisions and Seasons**

(1) Fishing is permitted on department areas, except as further restricted by signs, area brochures or this chapter. Statewide permits, seasons, methods and limits apply unless otherwise provided in this chapter.

*(This is a partial presentation of 3 CSR 10-11.200.) \**

**3 CSR 10-11.205 Fishing, Methods and Hours**

(1) On lakes and ponds, fish may be taken only with pole and line and not more than three (3) poles may be used by one (1) person at any time, except as otherwise provided in this chapter.

*(This is a partial presentation of 3 CSR 10-11.205.) \**

**3 CSR 10-11.210 Fishing, Daily and Possession Limits**

(1) Statewide daily and possession limits shall apply for all species, except that: In lakes and ponds, daily limits are catfish in the aggregate (channel catfish, blue catfish, flathead catfish), four (4); black bass, six (6); crappie, thirty (30); and all other fish, statewide limits, but not to exceed twenty (20) in the aggregate; except as otherwise provided in this chapter.

*(This is a partial presentation of 3 CSR 10-11.210.) \**

**3 CSR 10-11.215 Fishing, Length Limits**

(1) Statewide length limits shall apply for all species, except as further restricted in this chapter.

*(This is a partial presentation of 3 CSR 10-11.215.) \**

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*\* The complete rule, listing further exceptions and restrictions at specific areas, is available upon request from the Conservation Department and on the State of Missouri's website. See page 194.*

## CHAPTER 12

### WILDLIFE CODE: SPECIAL REGULATIONS FOR AREAS OWNED BY OTHER ENTITIES

*(This is a partial presentation of Chapter 12. The complete chapter is available upon request from the Conservation Department and on the State of Missouri website. See page 194)*

**3 CSR 10-12.101 Title; Authority**

The special regulations in this chapter apply on lands and waters managed by the department under cooperative agreement.

**3 CSR 10-12.105 Wildlife Refuges**

(1) The Conservation Commission may establish wildlife refuges and special regulations on state, federal and private lands in cooperation with administering authorities for those lands. No wildlife of any kind may be molested, pursued, hunted or taken on any land posted as a refuge, except under conditions the commission may permit and declare by regulation. However, other government agencies may permit hunting and fishing under statewide regulations or under more restrictive provisions on refuges under their administration.

(2) State parks are designated as wildlife refuges.



## CHAPTER 20 WILDLIFE CODE: DEFINITIONS

### 3 CSR 10-20.805 Definitions

- (1) For the purpose of this Code the following definitions shall govern unless a different meaning is stated or clearly evident from the context.
- (2) **Antlered deer:** A deer having at least one (1) antler not less than three inches (3") long.
- (3) **Arm of lake:** An inlet or bay of a water impoundment, including all impounded tributaries, smaller arms and coves thereof other than those specifically excepted.
- (4) **Backwater:** Any flowing or nonflowing water lying exclusively within the floodplain of a river and connected to that river at any water level below official flood stage, as designated by the U.S. Army Corps of Engineers for the portion of the river where backwater is occurring. Backwater shall not include tributary streams and ditches, but may include side channels, chutes, sloughs, bayous, oxbows and blew holes.
- (5) **Cable restraint device:** A device for the live-capture of certain furbearers in a non-water set by use of a cable loop made of non-stainless, multi-strand steel cable, not greater than five feet (5') long (not including extensions), with a diameter of not less than five sixty-fourth inches (5/64") and equipped with a commercially manufactured breakaway rated at two hundred eighty-

five (285) pounds or less, a relaxing-type lock, a stop device that prevents it from closing to less than two and one-half inches (2 1/2") in diameter, and an anchor swivel, but shall not be equipped with a compression-type choke spring, or be otherwise mechanically-powered.

(6) **Cervid:** All species of the deer family (family *Cervidae*) including those commonly known as white-tailed, mule, fallow, sika, red, musk, Pere David's deer, moose, caribou, reindeer, elk, or wapiti, and all deer-hybrids.

(7) **Chase or chased:** The act of using dogs to follow wildlife for the purpose of recreation or dog training, but not for the purpose of catching or taking that wildlife.

(8) **Circus:** A scheduled staged event in which entertainment includes performances by trained wildlife, either native or nonnative to the continental United States, and in which physical contact between wildlife and humans is restricted to the handlers, performers or other circus employees.

(9) **Closed season:** That period of time during which the pursuit or taking of wildlife is prohibited by this Code.

(10) **Commercial establishment:** Any place of business, owned or operated by any person or group of persons, or business concern of any kind, where ordinary trade or business practices are conducted. This term shall include, but is not restricted to, any club,

association or society where meals, lodging or other services or facilities are furnished for a consideration, price or fee.

(11) **Commercial fish:** All fish except endangered species as listed in 3 CSR 10.4111(3) and game fish as defined in this rule. Includes those species for which sale is permitted when legally obtained. For purposes of this Code, packaged salt water species or freshwater species not found in waters of this state, when the processed fish are truly labeled as to content, point of origin and name and address of the processor, are exempt from restrictions applicable to native commercial fish. Commercial fish include common snapping and soft-shelled turtles and crayfish taken from waters open to commercial fishing. In the Mississippi River and that part of the St. Francis River which forms the boundary between the states of Arkansas and Missouri, commercial fish also include channel, blue and flathead catfish at least fifteen inches (15") in total length. In the Mississippi River only, commercial fish also include paddlefish at least twenty-four inches (24") in length (measured from eye to fork of tail) and shovelnose sturgeon up to thirty inches (30") in length (measured from tip of snout to fork of tail). In the Missouri River downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to its confluence with the Mississippi River, commercial fish also include shovelnose sturgeon twenty-four inches (24") to thirty inches (30") in length (measured from tip of snout to fork of tail).

*(The length restriction on shovelnose sturgeon in the Missouri River from U.S. Highway 169 to Carl R. Noren Access and from Chamois Access to its confluence with the Mississippi River goes into effect July 1, 2004. Prior to July 1, 2004, on the Missouri River, commercial fish includes shovelnose sturgeon up to 30 inches in length (measured from tip of snout to fork of tail). Those more than 30 inches must be returned to the water unharmed immediately after being caught.)*

(12) **Commercial waters:** The flowing portions of the Missouri River, the Mississippi River except in Sand Chute below the mouth of the Salt River in Pike County, and that part of the St. Francis River which forms a boundary between the states of Arkansas and Missouri, and also waters which exist temporarily through overflow from the Mississippi River east of the Missouri Pacific Railroad between Cape Girardeau and Scott City, and east of the Mississippi River mainline and setback levees between Commerce and the Arkansas state line.

(13) **Commission:** The Conservation Commission as specified in Section 3, Reorganization Act of 1974, pursuant to Article IV, Section 40(a) of the *Constitution of Missouri* (see also Article IV, Section 12).

(14) **Crossbow:** A device for discharging quarrels or bolts, formed of a bow set crosswise on a stock, usually drawn by means of a mechanism and discharged by release of a trigger.

(15) **Days or dates:** All days and dates shall be inclusive. A day shall begin or end at midnight, unless otherwise specified.

(16) **Department:** The Department of Conservation as specified in Section 3, Reorganization Act of 1974, pursuant to Article IV, Section 40(a) of *Constitution of Missouri* (see also Article IV, Section 12).

(17) **Director:** The director of the Department of Conservation.

(18) **Ditch:** Any artificial drainageway, tributary to a stream or body of water, and containing sufficient water to support fish.

(19) **Domicile:** The place where a person has his/her true, fixed and permanent home and principal establishment and to which whenever s/he is absent s/he has the intention of returning. It is his/her legal residence, as distinguished from his/her temporary place or abode; or his/her home, as distinguished from a place to which business or pleasure may temporarily call him/her.

(20) **Field trial:** An organized event, contest, demonstration or trial of dogs whether or not prizes or awards of any kind are offered and where dogs may be used to chase, locate, pursue or retrieve wildlife.

(21) **Firearms:** Pistols, revolvers and rifles propelling a single projectile at one (1) discharge including those powered by spring, air or compressed gas, and shotguns not larger than ten (10) gauge.

(22) **Flies, lures and baits:** The following are authorized for use except where restricted in 3 CSR 10-6.415, 3 CSR 10-6.535, 3 CSR 10-11.205, 3 CSR 10-12.135 and 3 CSR 10-12.150:

(A) Natural and scented baits—A natural fish food

such as bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn and other food substances not containing any ingredient to stupefy, injure or kill fish. Does not include flies or artificial lures. Includes dough bait, putty or paste-type bait, any substance designed to attract fish by taste or smell and any fly, lure or bait containing or used with such substances.

(B) Soft plastic bait (unscented)—Synthetic eggs, synthetic worms, synthetic grubs and soft plastic lures.

(C) Artificial Lure—A lure constructed of any material excluding soft plastic bait and natural and scented baits as defined in (A) or (B) above.

(D) Fly—An artificial lure constructed on a single-point hook, using any material except soft plastic bait and natural and scented bait as defined in (A) or (B) above, that is tied, glued or otherwise permanently attached.

(23) **Furbearing animals: furbearers:** Mink, muskrat, opossum, river otter, striped skunk, spotted skunk, badger, beaver, raccoon, long-tailed weasel, red fox, gray fox, bobcat, mountain lion, black bear and coyote.

*(Open seasons exist for all furbearers except spotted skunk, long-tailed weasel, black bear and mountain lion.)*

(24) **Game birds:** Geese, ducks, ring-necked pheasant, gray partridge, ruffed grouse, wild turkey, northern bobwhite quail, Virginia rail, sora rail, American coot, American woodcock, common snipe, mourning dove, Eurasian collared-dove, white-winged dove and crows.

*(Open seasons exist for all species except gray partridge.)*

(25) **Game fish:** Shall include the following in which the common names are to be interpreted as descriptive of, but not limiting, the classification by Latin names:

(A) *Ambloplites*, all species of rock bass, commonly known as goggle-eye, redeye, shadow bass, Ozark bass.

(B) *Lepomis gulosus*, commonly known as warmouth bass.

(C) *Esox*, all species commonly known as muskel-lunge, tiger muskie, muskie-pike hybrid, northern pike, chain pickerel, grass pickerel.

(D) *Ictalurus*, all species except bullheads, commonly known as channel catfish, blue catfish, Mississippi cat, Fulton cat, spotted cat, white cat, willow cat, fiddler cat.

(E) *Micropterus*, all species of black bass and their hybrids, commonly known as largemouth bass, line-side bass, smallmouth bass, brown bass, Kentucky bass, spotted bass.

(F) *Polyodon*, all species, commonly known as paddlefish, spoonbill.

(G) *Pomoxis*, all species, commonly known as crappie, white crappie, black crappie.

(H) *Pylodictis*, commonly known as flathead catfish, goujon, yellow cat, river cat.

(I) *Morone*, all species and their hybrids, commonly known as white bass, yellow bass, striped bass.

(J) *Oncorhynchus* and *Salmo*, all species commonly known as salmon and trout.

(K) *Stizostedion*, all species and their hybrids, commonly known as walleye, pike perch, jack salmon, sauger.

(L) *Scaphirhynchus platyrhynchus*, commonly known as shovelnose sturgeon, hackleback, sand sturgeon.

*(Rule 3 CSR 20.805(25)(L) listing shovelnose sturgeon as game fish goes into effect July 1, 2004.)*

(26) **Game mammals:** Deer, fox squirrel, gray squirrel, groundhog (woodchuck), cottontail rabbit, swamp rabbit, jackrabbits, and furbearers as defined.

*(Open seasons exist for all game mammals except jackrabbits, and for all furbearers except spotted skunk, long-tailed weasel, black bear and mountain lion.)*

(27) **Grab:** The act of snagging or attempting to snag a fish by means of a pole, line and hook manipulated by hand.

(28) **Hook:** Single- or multiple-pronged hooks and the ordinary artificial lures with attached single- or multiple-pronged hooks and dropper flies. A multiple-pronged hook or two (2) or more hooks employed to hold a single bait, shall be considered a single hook in counting the allowable total in use.

(29) **Length of fish:** Total length is measured from the tip of the snout to the end of the tail, with the fish laid flat on the rule with mouth closed and tail lobes pressed together. The length of paddlefish is measured

from the eye to the fork of the tail. The length of sturgeon is measured from the tip of the snout to the fork of the tail.

(30) **Lessee:** Any Missouri resident who resides on at least five (5) acres of land in one (1) continuous tract owned by others, or any member of the immediate household whose legal residence and domicile is the same as the lessee's for at least thirty (30) days last past.

(31) **Limit:** The maximum number or quantity, total length, or both, of any wildlife permitted to be taken or held in possession by any person within a specified period of time according to this Code.

(32) **Longbow:** A bow drawn and held by hand and not fastened to a stock nor to any other device which maintains the bow in a drawn position. This definition includes compound bows.

(33) **Managed deer hunt:** A prescribed deer hunt conducted on a designated area for which harvest methods, harvest quotas and numbers of participants are determined annually and presented in the deer hunting rule (3 CSR 10-7.435).

(34) **Mouth of stream or ditch:** The point at which a line projected along the shore of a main stream or ditch at the existing water level at time of measurement crosses any incoming stream or ditch.

(35) **Mussels:** All species of freshwater mussels and clams. Includes all shells and alive or dead animals. Two (2) shell halves (valves) shall be considered one (1) mussel.

(36) **Muzzleloading firearm:** Any firearm capable of being loaded only from the muzzle.

(37) **Night vision equipment:** Optical devices (that is, binoculars or scopes) using light amplifying circuits that are electrical or battery powered.

(38) **Nonresident landowner:** Any nonresident of Missouri who is the owner of at least seventy-five (75) acres in one (1) continuous tract in the state of Missouri, or any member of the immediate household whose legal residence and domicile is the same as the nonresident landowner's for at least thirty (30) days last past. Corporate ownerships do not apply under this definition.

(39) **Open season:** That time when the pursuing and taking of wildlife is permitted.

(40) **Other fish:** All species other than those listed as endangered in 3 CSR 10-4.111 or defined in this rule as game fish.

(41) **Poisons, contaminants, pollutants:** Any substances that have harmful effect upon wildlife.

(42) **Pole and line:** Fishing methods using tackle normally held in the hand, such as a cane pole, casting rod, spinning rod or fly rod, to which not more than three (3) hooks with bait or lures are attached. This fishing method does not include snagging, snaring, grabbing or trotlines or other tackle normally attached in a fixed position.

(43) **Possessed and possession:** The actual and constructive possession and control of things referred to in

this Code.

(44) **Public roadway:** The right of way which is either owned in fee or by easement by the state of Missouri or any county or municipal entity, or which is used by the general public for travel and is also regularly maintained by Department of Transportation, federal, county or municipal funds or labor.

(45) **Pursue or pursued:** Includes the act of trying to find, to seek or to diligently search for wildlife for the purpose of taking this wildlife.

(46) **Resident landowner:** Any Missouri resident who is the owner of at least five (5) acres in one (1) continuous tract, or any member of the immediate household whose legal residence or domicile is the same as the landowner's for at least thirty (30) days last past. Except as provided in 3 CSR 10-7.435, in the case of corporate ownership, this definition shall apply only to those corporate shareholders who reside on lands held by the corporation.

(47) **Sell:** To exchange for compensation in any material form and the term shall include offering for sale.

(48) **Snare:** A device for the capture of furbearers in a water-set by use of a cable loop. Snares must be constructed of cable that is at least five sixty-fourth inches (5/64") and no greater than one-eighth inch (1/8") in diameter, and must be equipped with a mechanical lock and anchor swivel.

(49) **Speargun:** A mechanically powered device that propels a single- or multiple-pronged spear underwater.

(50) **Store and storage:** Shall also include chilling, freezing and other processing.

(51) **Take or taking:** Includes killing, trapping, snaring, netting or capturing in any manner, any wildlife, and also refers to pursuing, molesting, hunting, wounding; or the placing, setting or use of any net, trap, device, contrivance or substance in an attempt to take; and every act of assistance to every other person in taking or attempting to take any wildlife.

(52) **Transport and transportation:** All carrying or moving or causing to be carried or moved from one (1) point to another, regardless of distance, vehicle or manner, and includes offering or receiving for transport or transit.

(53) **Underwater spearfishing:** The taking of fish by a diver while underwater, with the aid of a manually or mechanically propelled, single- or multiple-pronged spear.

(54) **Ungulate:** Hoofed animals.

(55) **Waters of the state:** All rivers, streams, lakes and other bodies of surface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or as tenants in common or by corporate shareholders, and including waters of the United States lying within the state. Waters of the state will include any waters which have been stocked by the state or which are subject to movement of fishes to and from waters of the state.

(56) **Zoo:** Any publicly-owned facility, park, building, cage, enclosure or other structure or premises in which live animals are held and exhibited for the primary purpose of public viewing.

## Index

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# **SUNRISE AND SUNSET AT JEFFERSON CITY, MO** **Central Standard Time \***

	March 2004		April 2004		May 2004		Sept. 2004		Oct. 2004	
DAY	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.
1	6:40	6:02	5:53	6:33	6:11	8:01	6:38	7:38	7:05	6:51
2	6:39	6:03	5:51	6:34	6:10	8:02	6:39	7:37	7:06	6:49
3	6:37	6:04	5:50	6:34	6:09	8:03	6:40	7:35	7:07	6:48
4	6:36	6:05	6:48	6:35	6:08	8:04	6:41	7:33	7:08	6:46
5	6:34	6:06	6:47	6:36	6:06	8:05	6:42	7:32	7:09	6:45
6	6:33	6:07	6:45	7:37	6:05	8:06	6:43	7:30	7:10	6:43
7	6:31	6:08	6:44	7:38	6:04	8:07	6:44	7:29	7:11	6:42
8	6:30	6:09	6:42	7:39	6:03	8:08	6:44	7:27	7:11	6:40
9	6:28	6:10	6:41	7:40	6:02	8:09	6:45	7:26	7:12	6:39
10	6:27	6:11	6:39	7:41	6:01	8:09	6:46	7:24	7:13	6:37
11	6:25	6:12	6:38	7:42	6:00	8:10	6:47	7:22	7:14	6:36
12	6:24	6:13	6:36	7:43	5:59	8:11	6:48	7:21	7:15	6:34
13	6:23	6:14	6:35	7:44	5:58	8:12	6:49	7:19	7:16	6:33
14	6:21	6:15	6:33	7:45	5:57	8:13	6:50	7:18	7:17	6:31
15	6:19	6:16	6:32	7:46	5:57	8:14	6:51	7:16	7:18	6:30
16	6:18	6:17	6:31	7:47	5:56	8:15	6:52	7:15	7:19	6:28
17	6:16	6:18	6:29	7:48	5:55	8:16	6:52	7:13	7:20	6:27
18	6:15	6:19	6:28	7:49	5:54	8:17	6:53	7:11	7:21	6:26
19	6:13	6:20	6:26	7:50	5:53	8:17	6:54	7:10	7:22	6:24
20	6:12	6:21	6:25	7:51	5:53	8:18	6:55	7:08	7:23	6:23
21	6:10	6:22	6:24	7:52	5:52	8:19	6:56	7:07	7:24	6:22
22	6:08	6:23	6:22	7:53	5:51	8:20	6:57	7:05	7:25	6:20
23	6:07	6:24	6:21	7:53	5:51	8:21	6:58	7:03	7:26	6:19
24	6:05	6:25	6:20	7:54	5:50	8:22	6:59	7:02	7:27	6:18
25	6:04	6:26	6:18	7:55	5:49	8:22	7:00	7:00	7:28	6:17
26	6:02	6:27	6:17	7:56	5:49	8:23	7:00	6:59	7:30	6:15
27	6:01	6:28	6:16	7:57	5:48	8:24	7:01	6:57	7:31	6:14
28	5:59	6:29	6:15	7:58	5:48	8:25	7:02	6:56	7:32	6:13
29	5:58	6:30	6:13	7:59	5:47	8:25	7:03	6:54	7:33	6:12
30	5:56	6:31	6:12	8:00	5:47	8:26	7:04	6:52	7:34	6:10
31	5:54	6:32			5:46	8:27			7:35	6:09

\* Sunrise and sunset from April 4 to Oct. 31 have been converted to Daylight-Saving Time.

Note: The season for bullfrogs and green frogs begins June 30, 2004, at sunset, which is 8:37 p.m. Daylight-Saving Time in Jefferson City.

	Nov. 2004		Dec. 2004		Jan. 2005		Feb. 2005	
DAY	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.	Rise A.M.	Set P.M.
1	6:36	5:08	7:08	4:48	7:27	4:59	7:14	5:31
2	6:37	5:07	7:09	4:48	7:27	4:59	7:13	5:32
3	6:38	5:06	7:10	4:48	7:27	5:00	7:12	5:33
4	6:39	5:05	7:11	4:48	7:27	5:01	7:11	5:35
5	6:40	5:04	7:12	4:47	7:27	5:02	7:10	5:36
6	6:41	5:03	7:12	4:47	7:27	5:03	7:09	5:37
7	6:42	5:02	7:13	4:47	7:27	5:04	7:08	5:38
8	6:44	5:01	7:14	4:47	7:27	5:05	7:07	5:39
9	6:45	5:00	7:15	4:48	7:26	5:06	7:06	5:40
10	6:46	4:59	7:16	4:48	7:26	5:07	7:05	5:41
11	6:47	4:58	7:17	4:48	7:26	5:08	7:04	5:43
12	6:48	4:58	7:17	4:48	7:26	5:09	7:03	5:44
13	6:49	4:57	7:18	4:48	7:26	5:10	7:02	5:45
14	6:50	4:56	7:19	4:49	7:25	5:11	7:00	5:46
15	6:51	4:55	7:19	4:49	7:25	5:12	6:59	5:47
16	6:52	4:55	7:20	4:49	7:25	5:13	6:58	5:48
17	6:53	4:54	7:21	4:50	7:24	5:14	6:57	5:49
18	6:54	4:53	7:21	4:50	7:24	5:15	6:56	5:50
19	6:56	4:53	7:22	4:50	7:23	5:16	6:54	5:51
20	6:57	4:52	7:22	4:51	7:23	5:17	6:53	5:52
21	6:58	4:52	7:23	4:51	7:22	5:19	6:52	5:54
22	6:59	4:51	7:23	4:52	7:22	5:20	6:50	5:55
23	7:00	4:51	7:24	4:52	7:21	5:21	6:49	5:56
24	7:01	4:50	7:24	4:53	7:20	5:22	6:48	5:57
25	7:02	4:50	7:25	4:54	7:20	5:23	6:46	5:58
26	7:03	4:49	7:25	4:54	7:19	5:24	6:45	5:59
27	7:04	4:49	7:25	4:55	7:18	5:25	6:43	6:00
28	7:05	4:49	7:26	4:56	7:17	5:26	6:42	6:01
29	7:06	4:48	7:26	4:56	7:17	5:28		
30	7:07	4:48	7:26	4:57	7:16	5:29		
31			7:26	4:58	7:15	5:30		

These tables are for Jefferson City and points on the same longitude north and south. For locations east, subtract one minute for each 13.5 miles of airline distance. For locations west, add one minute for each 13.5 miles. For example, St. Louis is 106 miles east: subtract 8 minutes; Kansas City is 133 miles west: add 10 minutes.

To calculate the sunrise and sunset times in your area, see the U.S. Naval Observatory web site: <http://aa.usno.navy.mil/>

## Where to find more hunting and fishing regulations

Not all 2004 regulations are set in time to be included in this version of the *Wildlife Code of Missouri*. The following regulation booklets are available at permit vendors and at Conservation Department offices around the state on the dates listed below.

- Wildlife Code—March
- Summary of Fishing Regulations—March
- Summary of Hunting & Trapping Regulations—March
- Spring Turkey Information—March
- Fall Deer & Turkey Information—in the summer after regulations are set by the Conservation Commission
- Migratory Bird Hunting Digest—in late summer, after federal regulations are set
- Waterfowl Hunting Digest—early fall, after federal regulations are set

The Missouri Code of State Regulations, which includes the *Wildlife Code*, also are on the State of Missouri's website. See page 194.

## Looking for a new place to hunt or fish?

The Conservation Department offers the following free publications that can help you discover the outdoors:

- “Discover Outdoor Missouri” map
- “Missouri Trout Fishing” map
- “Ozark Smallmouth Bass Fishing” map

To get a copy of one or all of the free maps, write to:

Missouri Department of Conservation  
P.O. Box 180  
Jefferson City, MO 65102-0180

**To purchase** Conservation Department books and videos from the Nature Shop:

- call the toll free 1-877-521-8632
- or visit [www.mdcnatureshop.com](http://www.mdcnatureshop.com)

**For all other information**, contact the regional office in your area. See page 194 for addresses and telephone numbers.

## Missouri Department of Conservation Regional Offices

### Northwest

701 James McCarthy Drive  
St. Joseph 64507  
816/271-3100  
Fax: 816/271-3107

### Northeast

2500 S. Halliburton  
Kirksville 63501  
660/785-2420  
Fax: 660/785-2553

### Kansas City

3424 N.W. Duncan Road  
Blue Springs 64015  
816/655-6250  
Fax: 816/655-6256

### Central

1907 Hillcrest Drive  
Columbia 65201  
573/884-6861  
Fax: 573/882-9807

### Conservation Department's website:

[www.missouriconservation.org](http://www.missouriconservation.org)

### State Code of Regulations—Wildlife Code:

[www.sos.mo.gov/adrules/csr/current/3csr/3csr.asp](http://www.sos.mo.gov/adrules/csr/current/3csr/3csr.asp)

### State of Missouri's website: [www.missouri.gov](http://www.missouri.gov)

### Ozark

551 Joe Jones Blvd.  
P.O. Box 138  
West Plains 65775  
417/256-7161  
Fax: 417/256-0429

### St. Louis

2360 Highway D  
St. Charles 63304  
636/441-4554  
Fax: 636/926-9125

### Southwest

2630 N. Mayfair  
Springfield 65803  
417/895-6880  
Fax: 417/895-6910

### Southeast

2302 County Park Dr.  
Cape Girardeau 63701  
573/290-5730  
Fax: 573/290-5736

*For more information on regulations and conservation programs, contact the regional office in your area.*



### Administrative Office

2901 W. Truman Blvd.  
P.O. Box 180  
Jefferson City, MO 65102-0180  
573/751-4115



**Help Keep Missouri's Outdoors  
Beautiful, Safe and Litter Free**

The Missouri Department of Transportation spends approximately \$4 million a year to clean litter from Missouri highways. The 3,500 Adopt-A-Highway groups provide another \$1.5 million worth of litter cleanup. On our waterways, Missouri Stream Team volunteers pick up hundreds of tons of trash. Conservation agents issue hundreds of tickets for littering. Litter is a serious problem all over the state, and it's getting worse.

**Litter**

- harms water quality
- injures wildlife
- poses health risks
- creates an ugly and disheartening environment
- is associated with increased vandalism and crime
- costs precious dollars and time that could be used to preserve our natural resources.

***Do your part to keep Missouri litter free.***

# Help Put Game Thieves and Fire Setters Out of Business!



**Operation Game Thief** and **Operation Forest Arson** are privately funded programs to help combat poaching and arson-caused forest fires in Missouri.

**Rewards** are available for information leading to the arrest of game-law violators and forest arsonists.

***All information received is kept in strict confidence.***

If you see or know of a possible violation in progress, call your county conservation agent immediately or dial the toll-free hot line number:

**1-800-392-1111**

*Sponsored by the Conservation Federation of Missouri, the Missouri Department of Conservation and the U.S. Forest Service.*